Claremont House

Environmental Assessment Statement

CEQR No.: 23HPD093X

ULURP No: 250220HAX, 250221ZMX, 250222ZRX

CEQR Lead Agency:

NYC Department of Housing Preservation and Development

Prepared for:
Claremont House, LLC

Prepared by:
Philip Habib & Associates, An AKRF division

February 4, 2025

Claremont House

Environmental Assessment Statement

CEQR No.: 23HPD093X

ULURP No: 250220HAX, 250221ZMX, 250222ZRX

Table of Contents

EAS Short Form

Attachment A……Project Description

Attachment B……Supplemental Screening

Attachment C……Land Use, Zoning & Public Policy

Attachment D……Shadows

Attachment E……Urban Design and Visual Resources

Attachment F……Hazardous Materials

Attachment G……Noise

Appendices:

Appendix I……City Agency Correspondence

Appendix II……Executive Summary for Phase I ESA

Appendix III……Investigation Work Plan and Health and Safety Plan

Appendix IV……Executive Summary for Phase II ESA

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* **Claremont House EAS**

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency) **23HPD093X**	BSA REFERENCE NUMBER (if applicable)
ULURP REFERENCE NUMBER (if applicable) **250220HAX, 250221ZMX, 250222ZRX**	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY **New York City Department of Housing Preservation and Development (HPD)**			NAME OF APPLICANT **New York City Department of Housing Preservation and Development (HPD)**		
NAME OF LEAD AGENCY CONTACT PERSON **Anthony Howard**			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON **c/o Satya Fisher, Project Sponsor, Claremont House LLC**		
ADDRESS **100 Gold Street**			ADDRESS **111 John Street, Suite 770**		
CITY **New York**	STATE **NY**	ZIP **10038**	CITY **New York**	STATE **NY**	ZIP **10038**
TELEPHONE **(212) 863-7248**	EMAIL **howarda@hpd.nyc.gov**		TELEPHONE **(646) 779-8879**	EMAIL **jbernal@habitatnycwc.org**	

5. *Project Description*

The Proposed Actions consist of several discretionary approvals, including: (1) a zoning map amendment to rezone an approximately 14,688 square foot (sf) portion of Bronx Block 2888, including Lots 21, 23, p/o 28, 50, and 58 ("Rezoning Area") from R7-1 to R8; (2) a zoning text amendment to map a Mandatory Inclusionary Housing (MIH) Area over the proposed rezoning area; (3) site disposition of City-owned Lot 23 on Block 2888; and (4) Urban Development Action Area (UDAA) designation and Urban Development Action Area Project (UDAAP) approval of Lot 23. In addition, the Project Sponsor, Claremont House LLC, would seek discretionary funding, including NYC Department of Housing, Preservation and Development's (HPD's) Open Door program and funding from New York State Division of Housing and Community Renewal (NYSHCR) to facilitate the proposed affordable housing development at 1640 Anthony Avenue (Block 2888, Lot 23) in the Claremont neighborhood of the Bronx Community District (CD) 4. The Proposed Project would consist of a 13-story (130-feet tall), approximately 82,759 gross square foot (gsf) affordable cooperative housing development containing 66 affordable owner-occupied housing units. It is expected that the Proposed Project would be completely constructed and fully occupied by 2028.

Project Location

BOROUGH **Bronx**	COMMUNITY DISTRICT(S) **4**	STREET ADDRESS **1640 Anthony Avenue**
TAX BLOCK(S) AND LOT(S) **Block 2888, Lots 21, 23, part of Lots 28, 50, and 58**		ZIP CODE **10457**
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS **Anthony Avenue, Clay Avenue, Belmont Street, Webster Avenue, East 173rd Street**		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY **R7-1, M1-1**		ZONING SECTIONAL MAP NUMBER **3d**

6. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT ☐ ZONING CERTIFICATION ☐ CONCESSION

☒ ZONING MAP AMENDMENT ☐ ZONING AUTHORIZATION ☒ UDAAP
☒ ZONING TEXT AMENDMENT ☐ ACQUISITION—REAL PROPERTY ☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY ☒ DISPOSITION—REAL PROPERTY ☐ FRANCHISE
☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION **Map 3d, ZR Section 23-90: Appendix F**

***Board of Standards and Appeals*:** ☐ YES ☒ NO
☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

Other City Approvals Subject to CEQR (check all that apply)
☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☒ FUNDING OF CONSTRUCTION, specify: **HPD's Open Door**
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☒ YES ☐ NO If "yes," specify: **NYSHCR funding**

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): **15,355 sf (Lots 21, 23, p/o Lots 28, 50, & 58). The Rezoning Area, which includes approximately 93.5% of Lot 23, is slightly smaller, totaling 14,688 sf)**

Waterbody area (sq. ft) and type: **0 sf**

Roads, buildings, and other paved surfaces (sq. ft.): **5,118 sf (Lots 21, p/o 28, 50 and 58)**

Other, describe (sq. ft.): **vacant land 10,237 SF (Lot 23)**

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): **82,759 GSF**

NUMBER OF BUILDINGS: **One**

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): **82,759 GSF**

HEIGHT OF EACH BUILDING (ft.): **130 ft**

NUMBER OF STORIES OF EACH BUILDING: **13**

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant: **10,237 SF (Lot 23)**

The total square feet not owned or controlled by the applicant: **approx. 5,118 SF (Lot 21, p/o Lots 28, 50 and 58)**

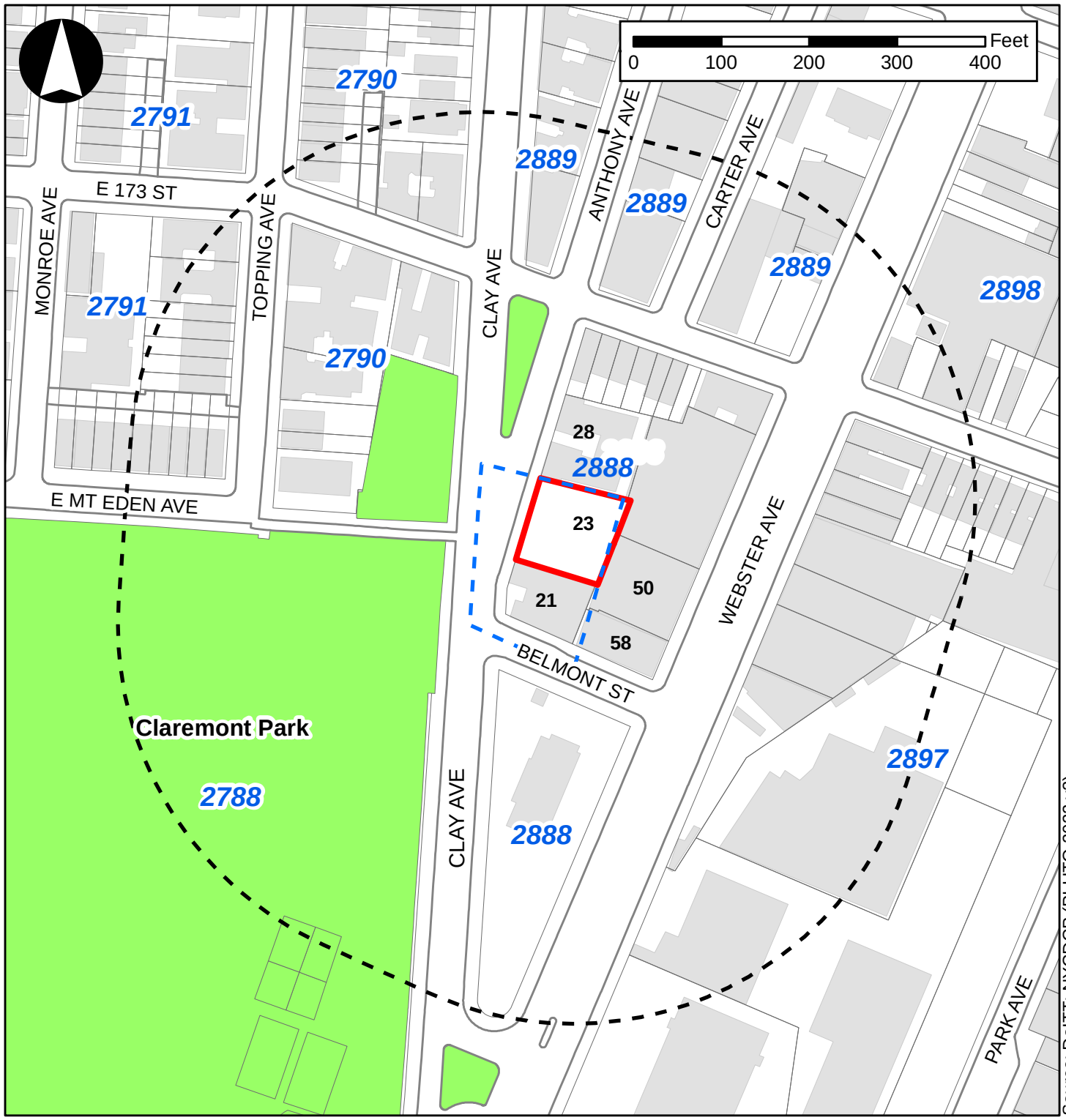
Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: **10,237** sq. ft. (width x length)

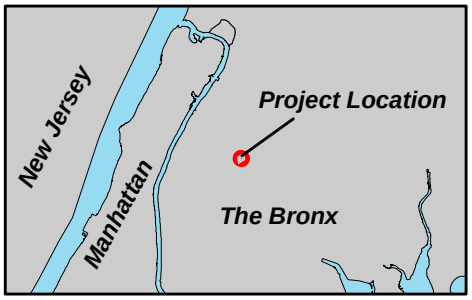
VOLUME OF DISTURBANCE: **102,360** cubic ft. (width x length x depth)

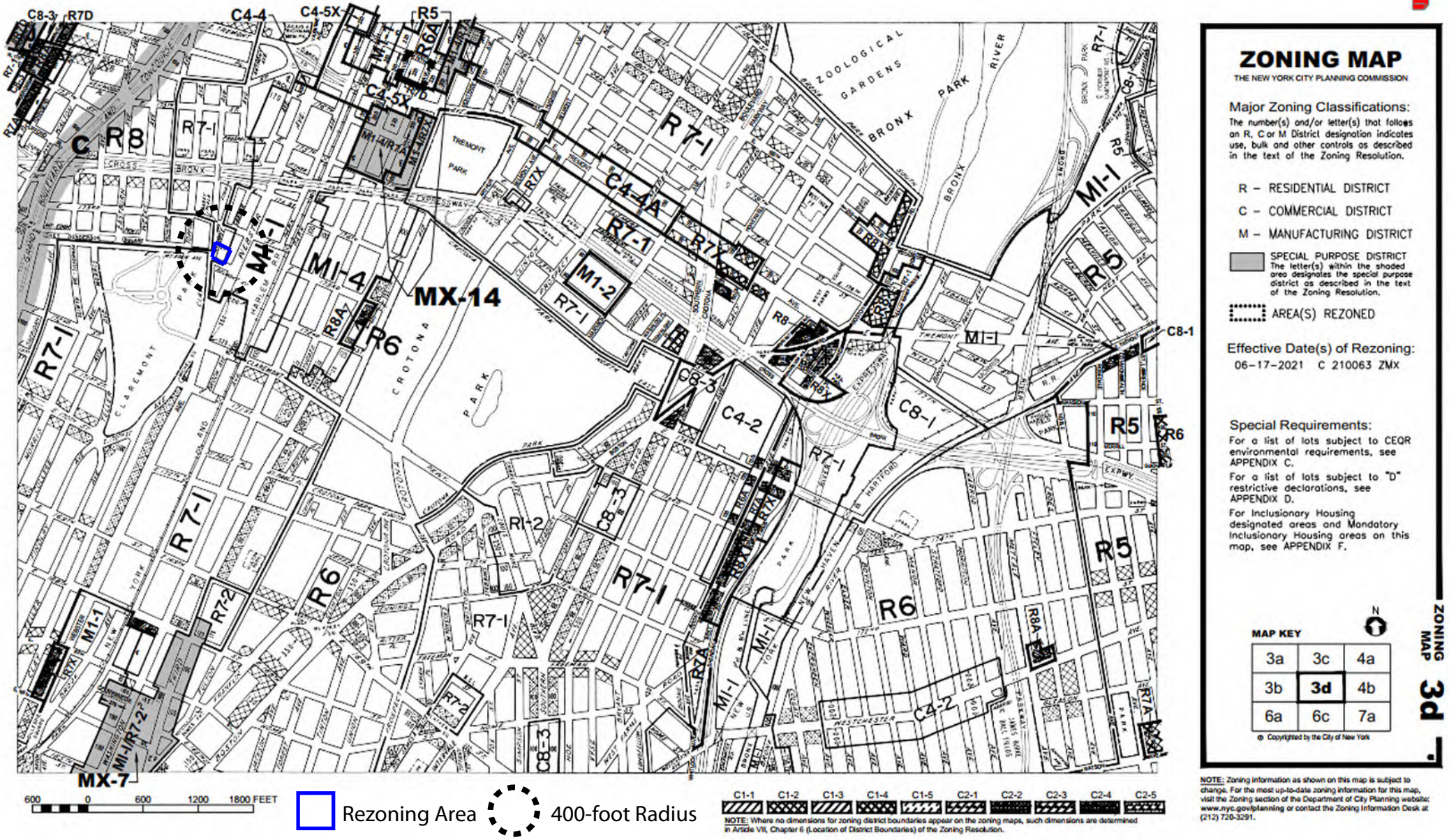
AREA OF PERMANENT DISTURBANCE: **10,237** sq. ft. (width x length)



Legend

- Rezoning Area
- Project Site
- 400-Foot Radius
- Existing Building Footprints
- 2888 Tax Blocks
- 23 Lot





Claremont House EAS

Figure 2
Zoning Map

Land Use Map



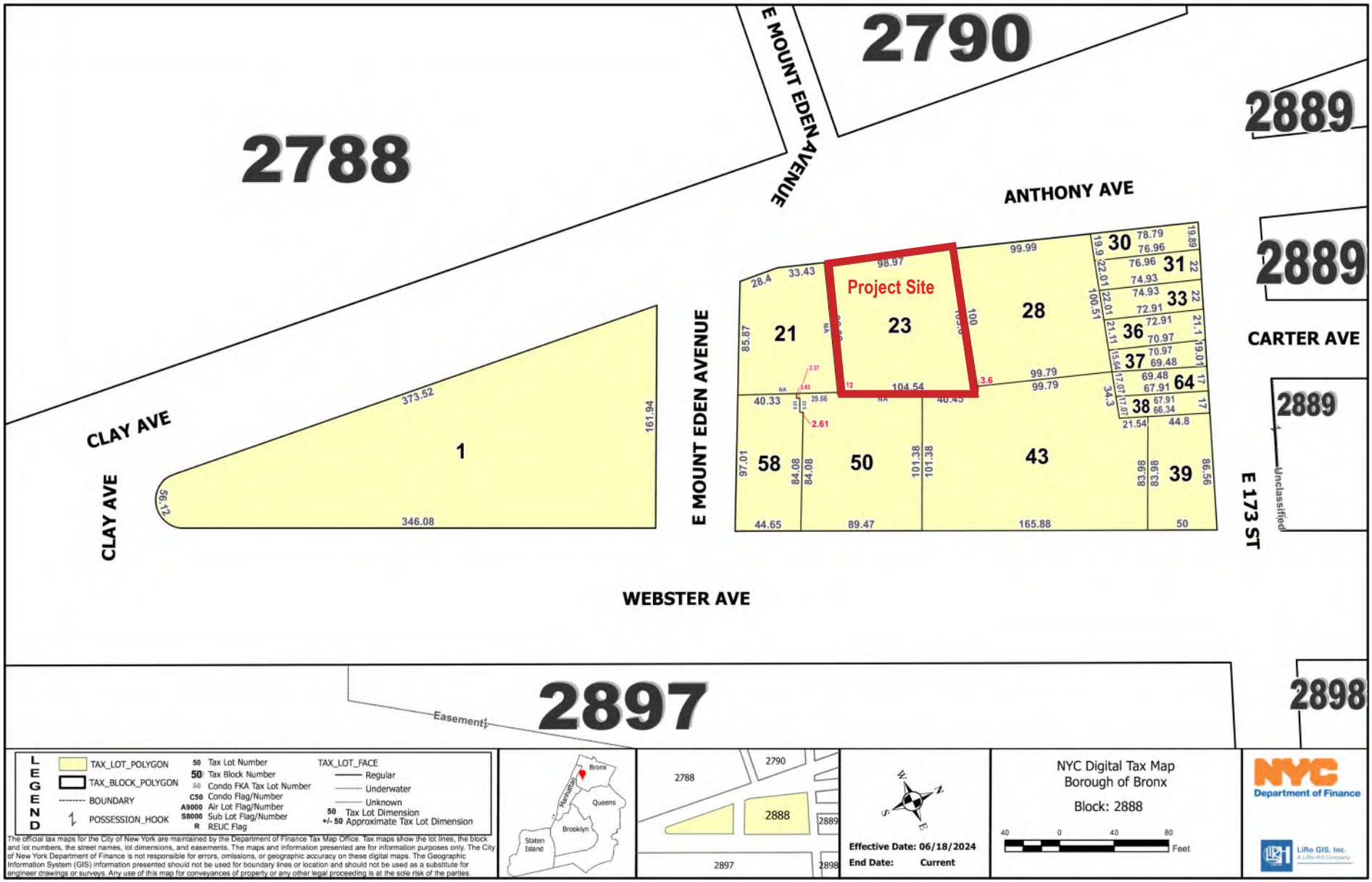
Source: DoITT; NYCDCP (PLUTO 2021 v3)

Legend

- Rezoning Area
- Project Site
- 400-foot Radius

Land Use

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Other or No Data


2790
2788
2889
E MOUNT EDEN AVENUE
ANTHONY AVE
Project Site
CLAY AVE
E MOUNT EDEN AVENUE
CARTER AVE
E 173 ST
WEBSTER AVE
2897
2898
Easement
Unclassified
LEGEND
TAX_LOT_POLYGON
TAX_BLOCK_POLYGON
BOUNDARY
POSSESSION_HOOK
Tax Lot Number
Tax Block Number
Condo FKA Tax Lot Number
Condo Flag/Number
Air Lot Flag/Number
Sub Lot Flag/Number
REUC Flag
TAX_LOT_FACE
Regular
Underwater
Unknown
Tax Lot Dimension
Approximate Tax Lot Dimension
The official tax maps for the City of New York are maintained by the Department of Finance Tax Map Office. Tax maps show the lot lines, the block and lot numbers, the street names, lot dimensions, and easements. The maps and information presented are for information purposes only. The City of New York Department of Finance is not responsible for errors, omissions, or geographic accuracy on these digital maps. The Geographic Information System (GIS) information presented should not be used for boundary lines or location and should not be used as a substitute for engineer drawings or surveys. Any use of this map for conveyances of property or any other legal proceeding is at the sole risk of the parties.
Bronx
Manhattan
Queens
Brooklyn
Staten Island
2788
2790
2888
2889
2897
2898
Effective Date: 06/18/2024
End Date: Current
NYC Digital Tax Map
Borough of Bronx
Block: 2888
Feet
NYC Department of Finance
LiRo GIS, Inc.



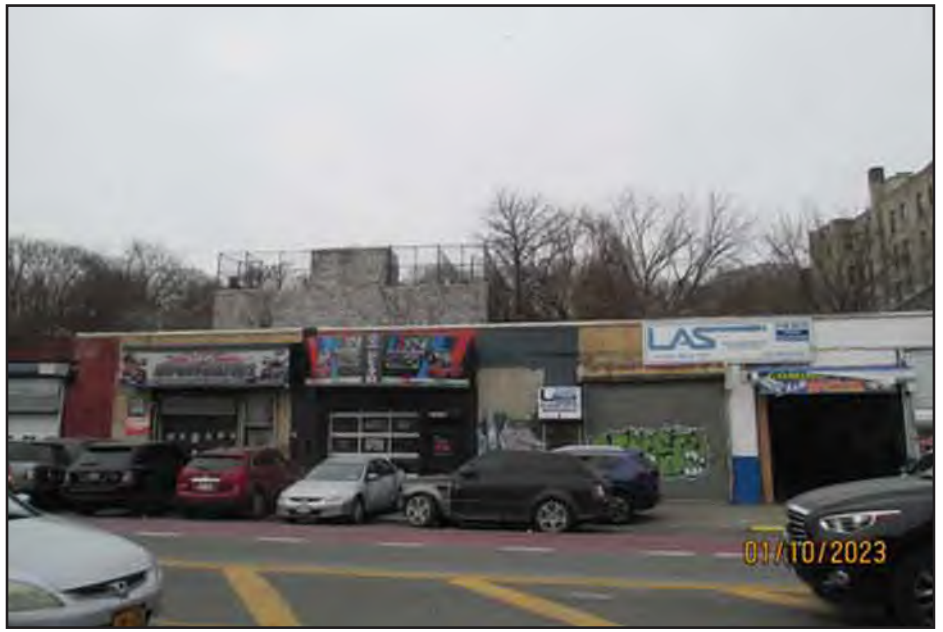
1. View of the Projeced Development Site (Block 2888, Lot 23) from Anthony Avenue.



2. View of Block 2888, Lot 21 from Clay Avenue.



3. View of Block 2888, Lot 58 from Webster Avenue.



4. View of Block 2888, Lot 50 from Webster Avenue.

Description of Proposed Uses (please complete the following information as appropriate)				
	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	**82,759 GSF**	**N/A**	**N/A**	**N/A**
Type (*e.g.,* retail, office, school)	**66** units			

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: **192** NUMBER OF ADDITIONAL WORKERS: **3**

Provide a brief explanation of how these numbers were determined: **Residential population is based on number of 2.91 persons per household (Claremont Village-Claremont (East) NTA 2020 US Census Data); Worker population is based on one worker per 25 dwelling units (includes live-in superintendant)**

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): **2028**

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: **approximately 20 months**

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY? **N/A**

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: **As with all construction projects, work at the Project Site would result in temporary disruptions to the surrounding area, including occasional noise and dust. However, such effects would be temporary and would be limited to the construction period. Construction of the proposed project would be carried out in accordance with NYC laws and regulations, which allow construction activities between 7 AM and 6 PM on weekdays. If work is required outside of normal construction hours, necessary approvals would be obtained from the appropriate agencies (i.e., DOB and DEP). During the construction of the proposed project, Maintenance and Protection of Traffic plans would be developed for any curb-lane and/or sidewalk closures that may be required. Approval of these plans and implementation of all temporary closures during construction would be coordinated with NYCDOT's Office of Construction Mitigation and Coordination (OCMC). Through implementation of the measures described above, adverse effects associated with the proposed construction activities would be minimized. Accordingly, the proposed project would not result in significant adverse impacts during construction, and no further analysis is required.**

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☒ MANUFACTURING ☐ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: **Community facility/institutional use**

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☐	☒
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. **See Attachment C, "Land Use, Zoning & Public Policy**		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Early Childhood Programs:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource? **See Attachment D, "Shadows"**	☒	☐
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		

	YES	NO
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. **See Appendix I, LPC confirmed that the Projected Development Site (Lot 23) does not contain any architecturally nor archaeologically significant resources**		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning? **See Attachment E, "Urban Design & Visual Resources"**	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	☒	☐
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: **See Attachment F, "Hazardous Materials"**	☒	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒

	YES	NO
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): **2,706 lbs./wk.**		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): **10,366,340.6 Thousand BTUs**		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) **See Attachment B, "Supplemental Screening"**	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19 **See Attachment G, "Noise"**		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. **No significant unmitigated adverse impact is found in the CEQR analysis areas of air quality, water quality, hazardous materials, or noise; accordingly, no public health analysis is warranted.**		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. **The Proposed Actions would not result in significant adverse impact in any CEQR analysis areas related neighborhood character. Additionally, the Proposed Actions and resultant project would not result in impact to any of the constituent elements of neighborhood character when considered together. Therefore, pursuant to Chapter 21, Section 200 of the *CEQR Technical Manual*, no further analysis of neighborhood character is warranted.**		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Lisa Jourdy, AICP, Philip Habib & Associates	02/04/2025

SIGNATURE



PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact: YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

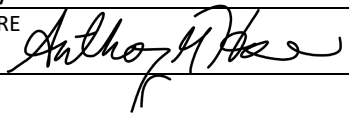
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environemental Planning - HPD	City of New York - Department of Housing Preservation and Development
NAME	**DATE**
Anthony Howard	3/26/25

SIGNATURE 

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, City of New York - Department of Housing Preservation and Development assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds that the proposed project:

23HPD093X - Claremont House - would not result in any significant adverse impacts. Please see attached negative declaration dated March 26, 2025.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
Director, Environemental Planning - HPD	City of New York - Department of Housing Preservation and Development
NAME	DATE
Anthony Howard	3/26/25
SIGNATURE	

ATTACHMENT A

PROJECT DESCRIPTION

I. INTRODUCTION

The Applicant, the NYC Department of Housing Preservation and Development (HPD), on behalf of Claremont House LLC ("Project Sponsor"), is seeking discretionary approvals (the "Proposed Actions") to facilitate the development of a new 13-story (130-feet tall) approximately 82,759-gross square foot (gsf) residential building, containing 66 dwelling units (DUs) (the "Proposed Project") at 1640 Anthony Avenue (Bronx Block 2888, Lot 23; the "Projected Development Site") in the Claremont neighborhood of the Bronx Community District (CD) 4. The Proposed Project would introduce 65 cooperative housing units, which would be targeted for moderate-income households (i.e., targeting households with incomes between 60 to 80 percent of Area Median Income (AMI)) and one set aside DU for a live-in superintendent. The discretionary approvals being sought include:

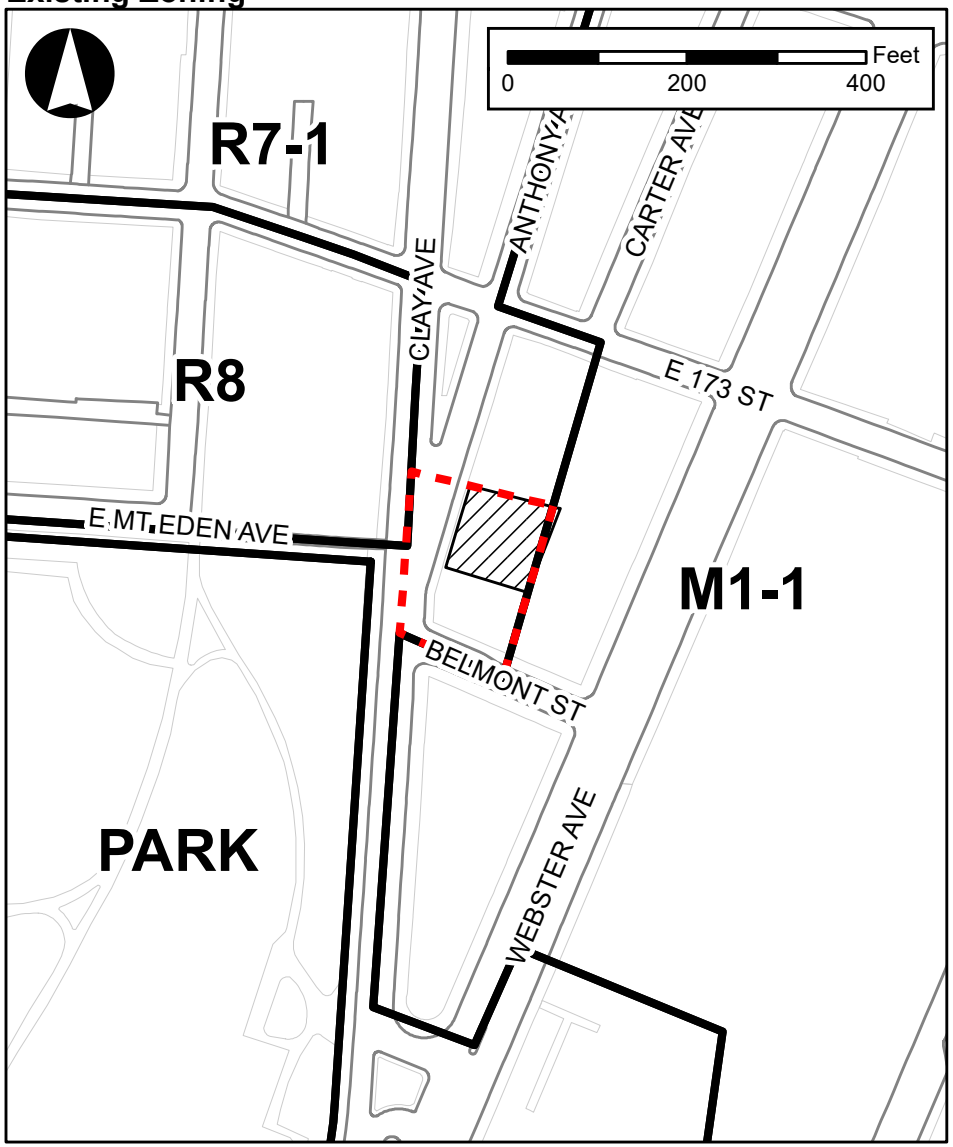
- A zoning map amendment to rezone an approximately 14,688-square foot (sf) portion of Bronx Block 2888 ("Rezoning Area") from R7-1 to R8 (see **Figure A-1**);
- A zoning text amendment to the Zoning Resolution (ZR) Appendix F to designate the proposed Rezoning Area as a Mandatory Inclusionary Housing (MIH) area;
- Disposition of City-owned Real Property, comprising Lot 23 on Block 2888; and
- Designation of Lot 23 on Block 2888 as an Urban Development Action Area (UDAA) and Urban Development Action Area Project (UDAAP) approval.

In addition, the Project Sponsor is seeking city financing through HPD's Open Door program and financing from the New York State Division of Housing and Community Renewal (NYSHCR) programs.

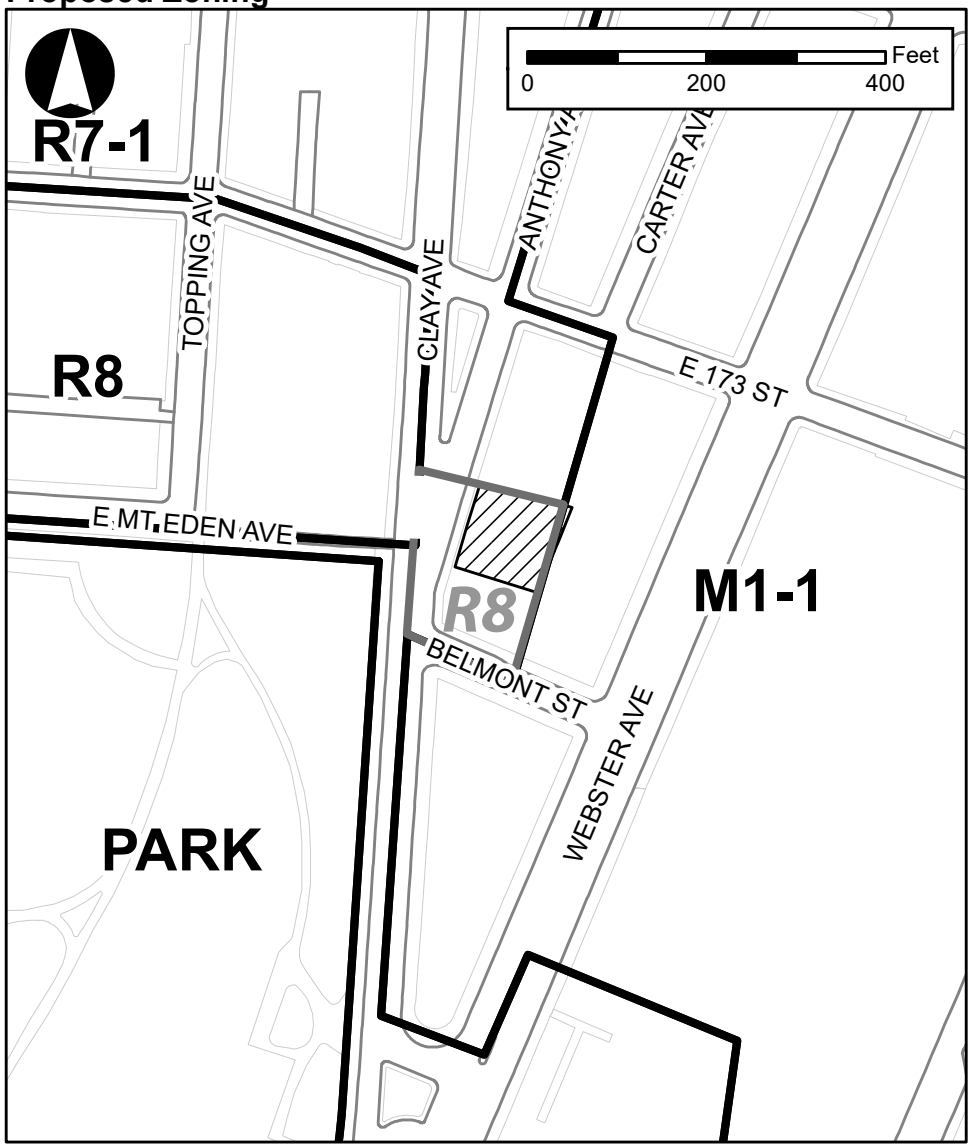
The New York City Council recently modified and adopted a citywide zoning text amendment, the City of Yes for Housing Opportunity "CHO" (CEQR No. 24DCP033Y) to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts on December 5, 2024. These changes to the City's ZR will enable more housing and a wider variety of housing types in every neighborhood, from the lowest-density districts to the highest, to address the housing shortage and prohibitive cost of housing in New York City. It has been determined that CHO increased the maximum floor area permitted for affordable housing buildings on the Projected Development Site. However, the Project Sponsor does not intend to take advantage of the additional floor area provided by the Universal Affordability Preference (UAP)[1] provisions in the CHO text amendment, as the project will be undergoing a rezoning and mapping and will utilize the Mandatory Inclusionary Housing (MIH) instead. The Proposed Project with a floor area ratio (FAR) of 6.97 nearly maximizes the allowable FAR of 7.2 for qualifying affordable housing or senior housing in the proposed R8 zoning district. Any changes in project scope beyond what is currently contemplated would require additional HPD review, including further environmental review of the new proposed development.

[1] In R8 districts, outside of MIH area, for zoning lots, or portions thereof, located within 100 feet of a wide street, containing UAP development or qualifying senior housing, the maximum FAR increased to 8.64 under CHO. UAP developments must per permanently affordable, but the maximum income for all affordable units cannot exceed a weighted average of 60 percent AMI (adjusted for household size). For buildings with 10,000 square feet or more of affordable housing, at least 20 percent of affordable housing must be affordable to households with incomes not exceeding 40 percent AMI (adjusted for household size).

Existing Zoning



Proposed Zoning



Legend

Rezoning Area | Project Site | R7-1 Zoning District Boundary | R8 Proposed Rezoning District

Claremont House EAS

Figure A-1
Existing and Proposed Zoning

The proposed zoning changes would affect a portion of a single block, consisting of portions of five lots on the west side of Block 2888 (Lot 21, and p/o Lots 23, 28, 50 and 58; the "Proposed Rezoning Area"[2]), totaling approximately 14,688-sf. The proposed zoning changes would map an R8 zoning district 175 feet south of and parallel to East 173rd Street to Belmont Street at a depth of 100 feet from Anthony Avenue replacing an existing R7-1 district, as well as establish a MIH area coterminous with the proposed R8 district. The Project Sponsor intends to build the Proposed Project, a new affordable housing building with a FAR of 6.97 (71,394 zoning square feet [zsf]), which would consist of approximately 66 dwelling units (DUs). All units – aside from one set aside for a live-in superintendent – would be affordable homeowner cooperative housing targeted for households with incomes between 60 to 80 percent of AMI. The Proposed Project would be built on an existing City-owned, vacant lot comprising the 10,237-sf Projected Development Site. It is expected that the Proposed Project would be completely constructed and fully occupied by 2028.

This attachment provides a summary and description of the Proposed Actions, including rezoning area, site location, existing conditions, project's purpose and need, reasonable worst case development scenario (RWCDS) under future No-Action and future With-Action conditions, and the governmental approvals required. The attached supplemental studies examine the potential for the Proposed Actions to result in impacts in any City Environmental Quality Review (CEQR) technical areas, including separate attachments with analyses of land use, zoning, and public policy, shadows, urban design and visual resources, hazardous materials, and noise in **Attachments C through G**, respectively. All other warranted preliminary screening assessments are summarized in **Attachment B, "Supplemental Screening."**

II. EXISTING CONDITIONS

Directly Affected Area

The directly affected area (or "Project Area") comprises approximately 15,355 sf and includes the area to be rezoned as well as the Projected Development Site[3]. It consists of portions of five tax lots (Bronx Block 2888, Lots 21, 23, and p/o Lots 28, 50 and 58), which occupy the western portion of a single block (Bronx Block 2888, Lots 21, 23, and p/o Lots 28, 50 and 58) bounded by East 173rd Street to the north, Webster Avenue to the east, and Anthony Avenue to the west. Belmont Street bisects Block 2888 into two parts.

As shown in **Figure 1** of the **EAS Form**, the Project Area includes approximately 15,355 sf with frontage along Anthony Avenue, Clay Avenue, and Belmont Street. Anthony Avenue is defined as a narrow street pursuant to zoning with a mapped width of less than 75 feet. Anthony Avenue is a 60-foot wide one-way southbound service road. Anthony Avenue connects with Clay Avenue next to the Project Area where it widens and joins Clay Avenue. Clay Avenue is an 80-foot wide one-way southbound street. North of East 173rd Street, Clay Avenue is a two-way north- and south-bound street. Belmont Street is a 60-foot wide two-way east-west bound street connecting Anthony Avenue and Webster Avenue.

[2] The Proposed Rezoning Area encompasses Lot 21, most of Lot 23, and sliver portions of Lots 28, 50, and 58 on Block 2888.

[3] The Project Area comprises the 14,688 sf Rezoning Area, which would be mapped at a depth of 100 feet east of Anthony Avenue, as well as the small portion of Lot 23 (comprising 667 sf) that would not be rezoned and extend beyond 100 feet of east of Anthony Avenue.

The Project Area is primarily mapped within an R7-1 residential zoning district, which is mapped to a depth of 100 feet west of Anthony Avenue. With the recent adoption of CHO, R7-1 districts permit standard residences up to a maximum floor area ratio (FAR) of 3.44 (or up to 4.00 FAR within 100 feet of a wide street) and qualifying affordable housing/senior housing up to 5.01 FAR, as well as community facilities up to 4.8 FAR. The Project Area has had the same R7-1 zoning designation since the enactment of the 1961 Zoning Resolution (ZR). R7-1 districts are middle-density apartment house districts and are largely mapped in the Bronx and Jackson Heights and Rego Park in Queens. The Project Area is located within the Outer Zone of the Greater Transit Zone, which is subject to parking requirements for 25 percent per standard dwelling unit and there is no parking requirement for ancillary dwelling units, qualifying affordable housing or qualifying senior housing. Up to 15 required parking spaces can be waived pursuant to ZR Section 25-222. R7-1 zoning allows a maximum building height of up to 105 feet and up to 115 feet within 100 feet of a wide street.

The eastern edge, including approximately 667-sf of the Project Area, is within an M1-1 manufacturing zoning district.[4] M1-1 districts permit a maximum FAR of 1.0 and act as buffers between M2 or M3 districts and residential and commercial districts. M1-1 districts typically allow high performance light industrial uses, offices, hotels, houses of worship, and retail uses. Residential uses are not permitted as-of-right. The streetwall height requirement and building setback are controlled by a sky exposure plane. Parking and loading requirements are based on the type of use and size of use.

Projected Development Site (Block 2888, Lot 23)

The City-owned, approximately 10,237-sf Projected Development Site (Block 2888, Lot 23) located at 1640 Anthony Avenue is comprised of an irregularly shaped lot with frontage on the east side of Anthony Avenue. The Projected Development Site has approximately 99 feet of frontage on Anthony Avenue and extends west at a depth of approximately 102 feet. It is currently unimproved and vacant with vegetation and overgrowth (0.0 FAR). The site is enclosed by a chain-link fence.

Remainder of the Project Area

The remainder of the Project Area includes portions of four additional privately-owned lots all under separate ownership (Lot 21, and slivers of Lots 28, 50 and 58). Lot 21, located at 1638 Anthony Avenue, is a 4,590-sf corner lot bounded by Anthony Avenue to the west and Belmont Street to the south. Lot 21 has approximately 62 feet of frontage along Anthony Avenue and 86 feet of frontage along Belmont Street. It is currently improved with a two-story, approximately 13,800-gsf 3-K childcare center (3.0 FAR), Labor Bathgate Community Child Care Center, built in 1973 that is operated under the auspices of New York Administration for Children's Services (ACS).

Lot 28, located at 1644 Anthony Avenue, is a roughly square-shaped 10,074-sf lot with approximately 100 feet of frontage along Anthony Avenue. Lot 28 is currently developed with a five-story, 36,375-gsf multi-family walkup building (3.61 FAR) that contains 51 DUs constructed in 1924 and altered in 2018. Only a small, approximately 77-sf portion, or approximately 0.76 percent, of Lot 28 is located within the Project Area.

[4]The eastern edge of the Project Area, includes the easternmost portion of Lot 23 (located beyond 100 feet east of Anthony Avenue), which is part of the Development Site, but would not be rezoned as a result of the Proposed Actions.

Lot 50, located at 1645 Webster Avenue, is an irregularly shaped 9,087-sf lot with approximately 90 feet of frontage along Webster Avenue. Lot 50 is currently developed with a one-story, 8,900-gsf auto body shop (0.97 FAR) constructed in 1932. Only a small, approximately 122-sf, or approximately 1.34 percent, rear portion of Lot 50 is located within the Project Area.

Lot 58, located at 1639 Webster Avenue, is a 4,317-sf corner lot with approximately 45 feet of frontage along Webster Avenue and 97 feet of frontage along Belmont Street. It is currently developed with a one-story, 4,228-gsf paint shop (0.97 FAR) constructed in 1948. Only a small, approximately 330-sf portion, or approximately 7.64 percent, of Lot 58 is located within the Project Area.

Surrounding Area and Context

The Project Area is in the Claremont neighborhood of the Bronx. Land uses near the Project Site are varied, and consist of a mix of residential, transportation, industrial, parking facilities, commercial, mixed-use commercial and residential uses, as well as a couple of community facilities and parks (refer to **Figure 3** in the EAS form).

Residential uses are primarily concentrated to the west and north of the Project Area along East 173rd Street, Topping Avenue, Clay Avenue, and Anthony Avenue. Residential uses consist of several multi-family walk-up buildings with a few one- and two-family buildings and elevator apartment buildings. Mixed-use residential and commercial buildings are dispersed throughout, located primarily on street corners along East 173rd Street. There are also several transportation-related uses in the surrounding area. Concentrated along Webster Avenue and Carter Avenue, these uses consist of auto repair shops. There are few industrial uses along Webster Avenue. They include warehouses. There are also community facilities including a Salvation Army located at 1640 Topping Avenue and a charter school located at 1700 Webster Avenue. There are also three commercial uses located along Webster Avenue: a fast-food restaurant south of the Project Area, a restaurant north and an office building east.

There are two open space uses within the surrounding area. Barry Plaza is an approximately 0.09-acre plaza located directly north of the Project Area bounded by East 173rd Street to the north, Clay Avenue to the west, and Anthony Avenue to the east. The plaza contains plantings and seating areas. Further to the west of the Project Area is Claremont Park, a 38.5-acre park that contains active and passive recreational uses. The park is bounded by East Mt Eden Avenue to the north, Teller Avenue to the west, Clay Avenue to the east, and East 170th Street to the south.

The nearest subway station is the 174-175 Streets B and D station located roughly 0.4-mile to the northwest. The B and D subway lines provide service between the Norwood neighborhood in the Bronx and Coney Island and Brighton Beach in Brooklyn via Manhattan. Further from the Project Area, approximately 0.5-miles to the northwest, is the 176th Street 4 subway station. The 4 subway line provides service between Woodlawn in the Bronx and Utica Avenue in Crown Heights in Brooklyn via Manhattan.

There is one bus that travels within 400-feet of the Project Site: the Bx41-Select Bus Service (SBS). The Bx41-SBS is a select (express) bus that is located entirely within the Bronx. It connects Williamsbridge in the north to the Hub in the south via Webster Avenue. The nearest bus stop is located on Webster Avenue and East 173rd Street.

The surrounding area is also well served by the street network. Anthony Avenue fronts the Project Site's western edge. It is a local, one-way south-bound road stretching from Grand Concourse in the north to Clay Avenue in the south where it merges in front of the Project Area. North of the Project Area is East 173rd Street, a large, two-way east-west bound road that connects Grand Concourse in the west to Crotona Park in the east. Webster Avenue is a large, two-way, north-south bound road located one block east of the Project Site. It is a 5.8-mile long corridor that connects Westchester County in the north to the Melrose neighborhood in the Bronx to the south. It has a dedicated bus lane in both directions and is also a DOT local truck route. Additionally, Interstate 95, also known as the Cross Bronx Expressway, is located two blocks to the north of the Project Area. The interstate connects states along the eastern seaboard from Maine to Florida. But locally, it crosses the Bronx in an east-west direction from Connecticut in the east to the George Washington Bridge in the west. The west-bound entrance for the interstate is located north of the Project Area from Webster Avenue and Exit 28 from the east-bound lane exists on Webster Avenue.

As shown in **Figure 2** of the EAS Form, the Project Area is primarily located in an R7-1 residential zoning district, which continues further north and to the northwest of the Project Area. To the north of Claremont Park and west of Anthony and Clay Avenues, an R8 residential zoning district is mapped. The M1-1 district, which is mapped along the eastern edge of the Project area, overlays areas north, west, and south of the Project Area. There are no commercial overlays. Like the R7-1 district, R8 zoning districts permit residential and community facility uses and have a maximum residential FAR of 6.02 (up to 7.20 within 100 feet of a wide street) for standard residences and up to 7.20 FAR (up to 8.64 FAR outside of MIH area within 100 feet of a wide street containing UAP development or qualifying senior housing) for qualifying affordable housing or qualifying senior housing.

III. THE PROPOSED ACTIONS

The Applicant's development proposal for 1640 Anthony Avenue requires the following discretionary actions:

Zoning Map Amendment

The proposed zoning map amendment would affect an approximate 14,688-sf portion of Block 2888[5] and would map an R8 zoning district 175 feet south of and parallel to East 173rd Street to Belmont Street at a depth of 100 feet east of Anthony Avenue, replacing the existing R7-1. **Table A-1** provides a comparison of the maximum FAR under the existing and proposed zoning. R8 is a zoning district that allows for the development of mid-rise, higher-density housing and community facilities. As shown in **Table A-1**, R8 permits a maximum residential FAR of 6.02 (up to 7.20 FAR within a 100 feet of wide street) and up to 7.2 FAR for qualifying affordable housing and qualifying senior housing. The maximum FAR for community facility use is 6.5.

[5] Including all of Lot 21 and most of Lot 23, as well as slivers of Lots 28, 50, and 58.

TABLE A-1: Existing and Proposed Zoning Maximum Permitted FAR

	Existing R7-1	Proposed R8
Standard Residences	3.44 (4.0 within 100 feet of a wide street)	6.02 (7.20 with within 100 feet of a wide street)
Qualifying Affordable Housing/Qualifying Senior Housing	5.01	8.64 [1]
Community Facility	4.8	6.5
Commercial	N/A	N/A
Manufacturing	N/A	N/A

Notes: [1] Outside of MIH areas for zoning lots, or portions thereof, located within 100 feet of a wide street, containing UAP developments or qualifying senior housing.

Zoning Text Amendment

The Applicant is seeking a zoning text amendment to ZR Section 23-90 (Appendix F) to establish the proposed R8 zoning district as a Mandatory Inclusionary Housing (MIH) Area.[6] The establishment of the MIH designated area would require a share of new housing to be permanently affordable where significant new housing capacity would be created. The MIH area sets a new maximum permitted residential FAR, which supersedes the FAR permitted by the underlying zoning district. With the adoption of CHO, the MIH program sets forth three revised primary options that are characterized by different affordability levels, which promote a range of affordable development:

- Option 1 requires 25 percent of residential floor area must be permanently affordable housing for residents with incomes averaging 60 percent of AMI, with 10 percent of the number set aside of households earning up to 40 percent AMI;
- Option 2 requires 30 percent of residential floor area must be affordable housing for residents with incomes averaging 80 percent of AMI; and
- Option 3 requires that 20 percent of the residential area be affordable to households averaging 40 percent AMI.

The Applicant intends to map MIH Options 1 and 2. Through the land use process, the City Planning Commission and City Council will work together to apply a set of income level requirements for the affordable housing units created through MIH in the proposed R8 district.

Disposition of City Property & Urban Development Action Area Project (UDAAP)

The Applicant is seeking disposition authority to facilitate the redevelopment of Lot 23 on Block 2888 (the Projected Development Site). The Projected Development Site, which is owned by New York City Administration for Children's Services (ACS), would be conveyed to the Applicant in the future with the Proposed Actions. In conjunction with this disposition, the Applicant is also seeking designation of the Projected Development Site as a UDAAP pursuant to Article 16 of the General Municipal Law, authorizing up to a 20-year tax exemption. The designation of UDAAP must be authorized by the City Council.

[6] The applicant does not intend to take advantage of the additional provided by UAP provisions in the proposed City of Yes for Housing Opportunity text amendment. Any changes in project scope beyond what is currently contemplated would require additional HPD review, including further environmental review of the proposed development.

Public Financing Approval

The Project Sponsor would seek approval for financing for the Project Site from a variety of sources. These sources include HPD's Open Door program. The Open Door program funds the new construction of cooperative and condominium buildings affordable to moderate and middle income households.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The proposed zoning changes would map an R8 zoning district, which would allow for greater density reflective of the Webster Avenue corridor near the Project Area and areas directly north and west of the Project Area. The Proposed Actions are intended to facilitate the development of new housing, consisting of much-needed affordable housing units, in an area where there is a strong demand. As described above, the Project Area is well served by public transit options. Three different subway lines (B, D, and 4) are located approximately a half a mile west of the Project Area, and Webster Avenue is served by an express bus line.

The Proposed Actions would be consistent with existing zoning and land uses, as most of the uses surrounding the Project Area consists of residential uses. Areas directly west of Clay Avenue are zoned R8 and lots are mostly occupied by residential uses. The Proposed Actions would also promote and reaffirm a mixed-use live-work neighborhood, by balancing the preservation of neighborhood scale and allowing a moderate increase in density with the opportunity to increase housing. The proposed building would activate the streetscape as the existing lot is currently vacant.

The Proposed Actions would help to address the continuing need for affordable housing for a range of household income levels in the Claremont neighborhood and surrounding neighborhoods. The proposed zoning text amendment, which would designate the proposed rezoning area as a MIH area, would require the construction of permanently affordable residential units on the Applicant-owned site and additional lots. The proposed zoning text amendment would be aligned with one of Community Board 4's identified three pressing issues for affordable housing. The creation of new affordable housing helps to alleviate the upward pressure on housing prices and contributes to housing affordability in the surrounding area and larger City.

V. PROPOSED PROJECT

The Projected Development Site (Block 2888, Lots 23) at 1640 Anthony Avenue would be developed with a new 13-story, approximately 82,759-gsf (71,394-zsf) residential building. The Projected Development Site zoning lot would have a FAR of 6.97, which would be less than the permitted maximum FAR, which would be mapped in the proposed R8 (up to 7.2 FAR for qualifying affordable housing and qualifying senior housing[7]). The Applicant's proposed development would consist of 66 affordable DUs, and residential amenities including a community room, gym, and bicycle storage located in the cellar level, plus a 3,390 sf

[7] In R8 districts, outside of MIH area, for zoning lots, or portions thereof, located within 100 feet of a wide street, containing UAP development or qualifying senior housing, the maximum FAR increased to 8.64 under CHO.

private rear yard. The proposed building would have a maximum height of 130 feet (13-stories) and a base height of approximately 89-feet (see **Figure A-2**, **Figure A-3a** and **Figure A-3b**).

VI. ANALYSIS FRAMEWORK

The Proposed Actions would change the regulatory controls governing land use and development and facilitate new affordable housing at the Projected Development Site. The 2021 *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential effects on the various environmental areas of analysis.

Analysis Year

It is anticipated that the Proposed Actions would be certified into ULURP in 2025. Assuming completion of the ULURP process in 2025, and a period of no more than approximately 20-months of construction, completion and occupancy of the Projected Development Site is expected to occur by 2028. Accordingly, this environmental review will use 2028 as the Build Year for analysis of future conditions consistent with 2021 *CEQR Technical Manual* guidance.

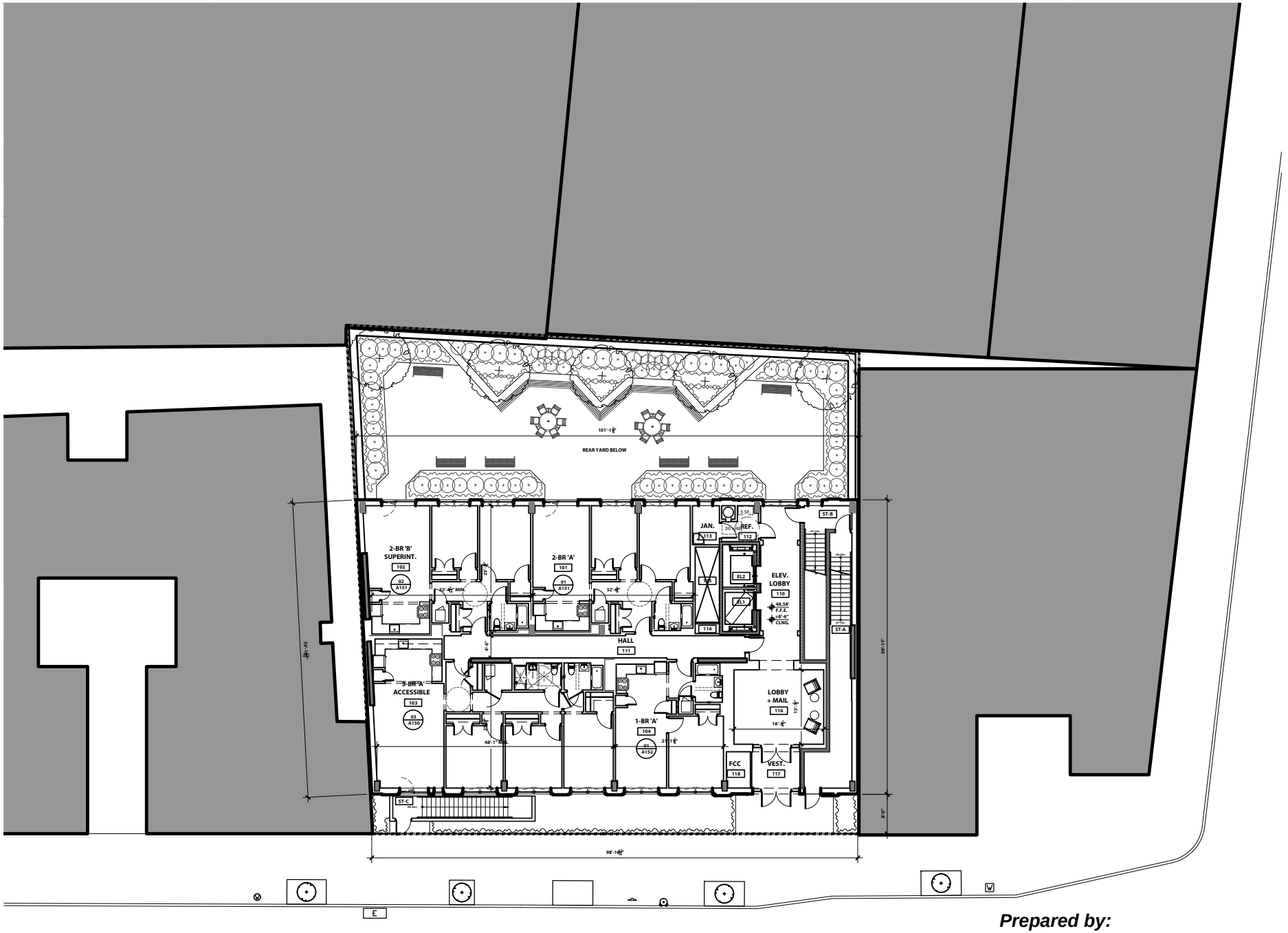
Identification of Development Site

According to the 2021 *CEQR Technical Manual,* the following factors, commonly referred to as "soft site criteria," are generally considered when evaluating whether some amount of development would likely be constructed by the build year as a result of the Proposed Actions:

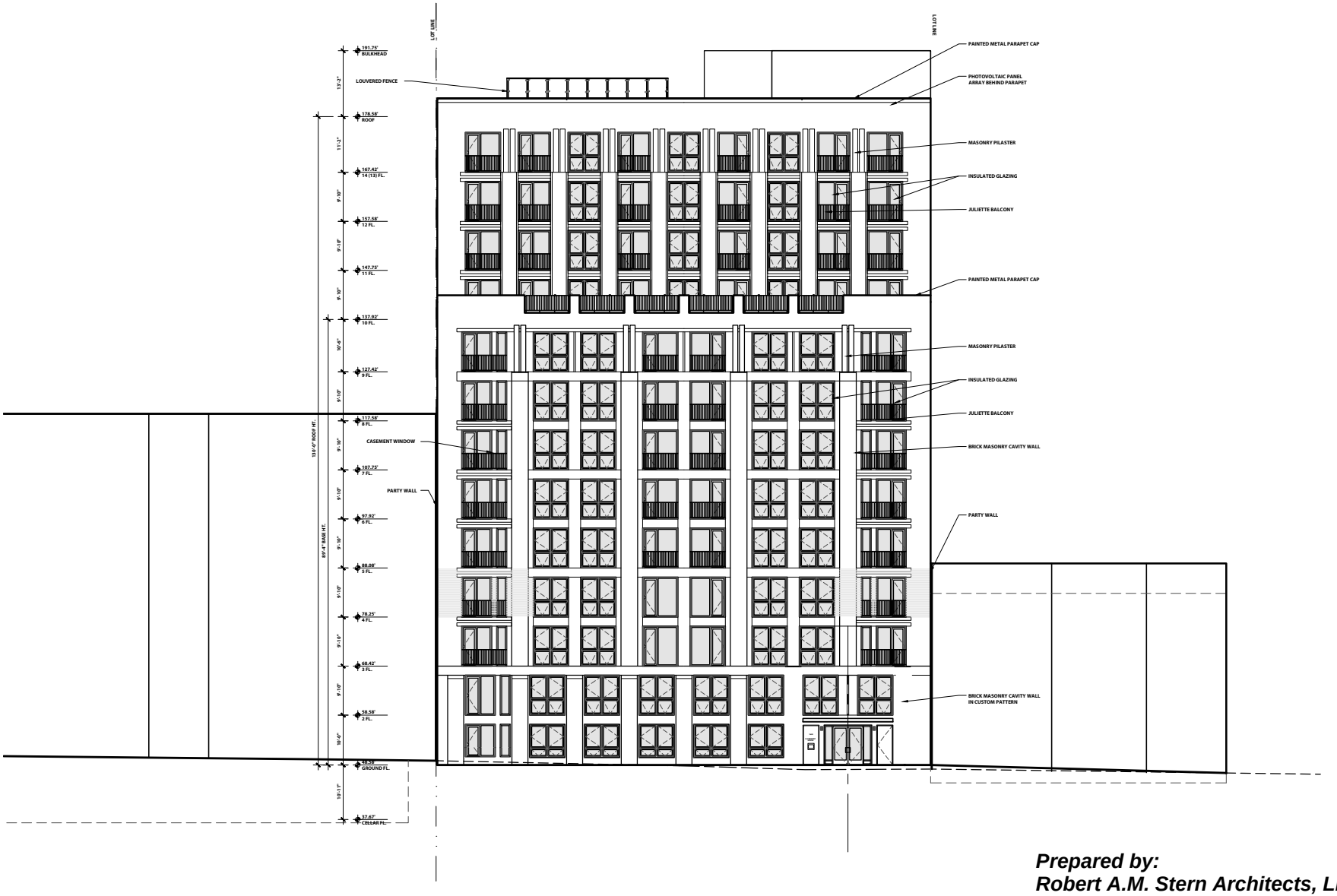
- The uses and bulk allowed: Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable floor area ratio (FAR) under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, site specific conditions that make development difficult, and issues relating to site control or site assemblage that may affect redevelopment potential); and
- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 square feet or less, but the lot size criteria are dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing these criteria.

However, the following uses and types of buildings that meet the soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of the Proposed Actions:

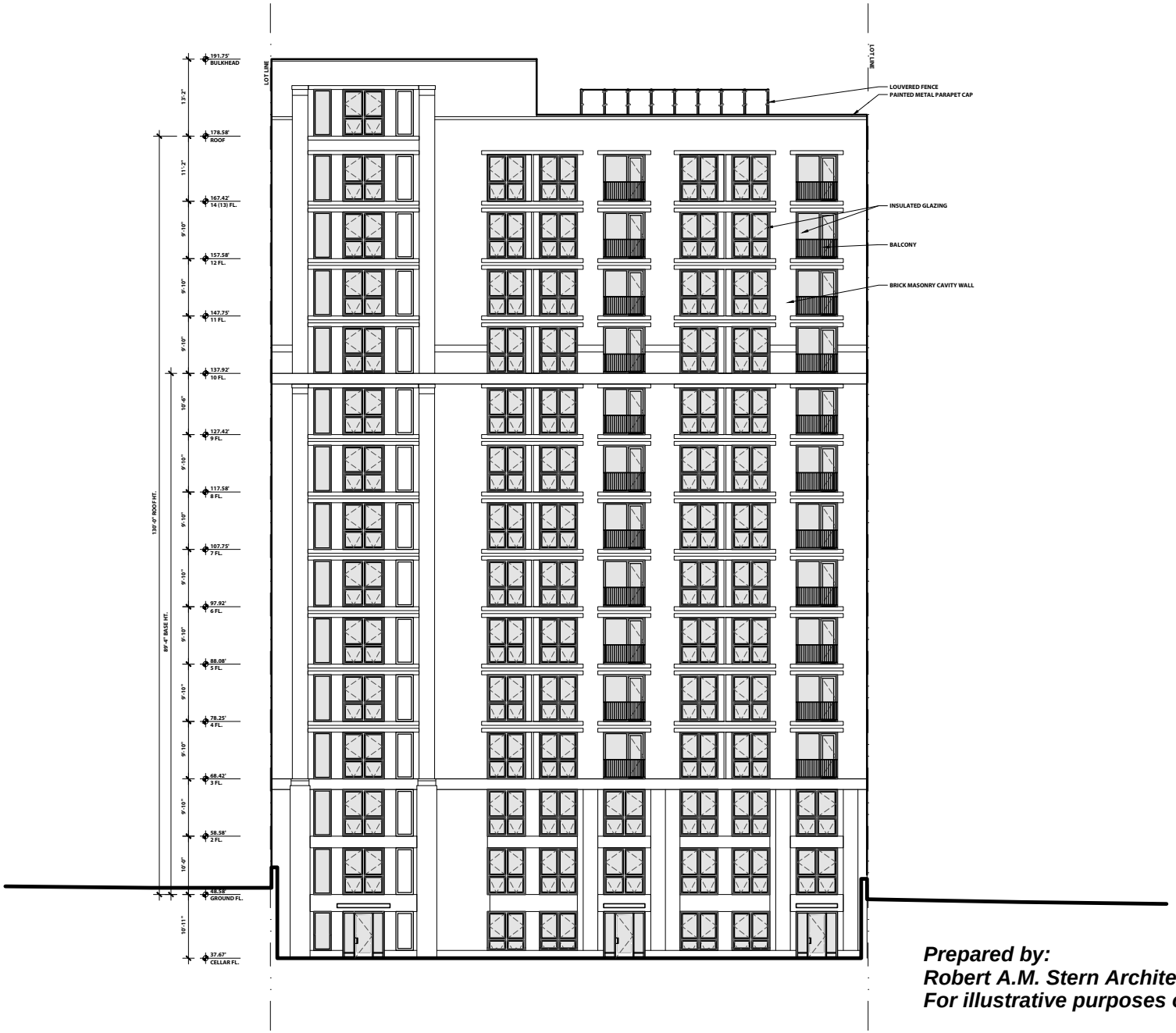
- Full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate;
- Lots where construction is actively occurring, or has recently been completed, as well as lots with recent alterations that would have required substantial capital investment, unless recently



Prepared by:
Robert A.M. Stern Architects, LLP
For illustrative purposes only.



Prepared by:
Robert A.M. Stern Architects, LLP
For illustrative purposes only.



Prepared by:
Robert A.M. Stern Architects, LLP
For illustrative purposes only.

Claremont House EAS

Figure A-3b
Preliminary Massing - East Elevation

constructed or altered lots were built to less than or equal to half of the maximum allowable FAR under the proposed zoning;

- Lots whose location or irregular shape would preclude or greatly limit future as-of-right development. Generally, development on irregular lots does not produce marketable floor space;
- Long-standing institutional uses with no known development plans; or
- Residential buildings with six (6) or more units constructed before 1974. These buildings are likely to be rent-stabilized and difficult to demolish due to tenant re-location requirements.

Definition of Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth identified development sites are typically divided into two categories: projected development sites and potential developments. Projected development sites are considered more likely to be developed within the analysis period for the Proposed Actions (i.e., by 2028), while potential sites are considered less likely to be developed over the same period.

As the Proposed Actions are being sought to facilitate the Proposed Project at Block 2888, Lot 23, it is considered a projected development site (Projected Development Site). In addition, to Lot 23 on Block 2888, portions of four other tax lots are included in the area to be rezoned. However, no additional or new development would be anticipated to occur because of the Proposed Actions, as none of the other affected tax lots would meet 2021 *CEQR Technical Manual* soft site criteria. Three of the lots, including Lots 28, 50, and 58, would only have small portions rezoned as a result of the Proposed Actions, and therefore, would not be considered soft sites. Although Lot 21 would be rezoned in its entirety, this lot is currently occupied by a long-standing community facility use, which is under DOE's early childhood program and accommodates pre-K students. This existing facility also has a ten-year lease and therefore would not be considered a soft site. As such, there would only be a single projected development site analyzed, and the Proposed Project represents the RWCDS for the With-Action Condition.

Future without the Proposed Actions (No-Action Condition)

In the future without the Proposed Actions, it is assumed that the vacant and underutilized City-owned lot (the "Projected Development Site") would remain unchanged. The other lots within the Project Area would also remain unchanged and all existing buildings and uses would remain. Therefore, in the absence of the Proposed Actions, it is anticipated that the existing Project Area conditions would remain.

Future with the Proposed Actions (With-Action Condition)

In the future with the Proposed Actions (With-Action condition), the Proposed Actions would be approved. As such, the R8 zoning district would be mapped along the western edge of Block 2888 bounded by Belmont Street to the south, Anthony Avenue to the west and at a depth of 175 feet south from 173rd Street and would be designated as a MIH area.

Under the With-Action Condition, the Project Sponsor intends to construct a 66 DU residential building at the Projected Development Site. The With-Action building would rise to 13-stories (130-feet tall) and would include 82,759 gsf of residential uses.

Table A-2 below provides a comparison of the No-Action and With-Action conditions identified for CEQR analysis purposes. As shown, the incremental (net) change that would result from the Proposed Actions is the addition of a total of 82,759 gsf of residential uses, including approximately 66 DUs. In terms of

population, the Proposed Actions are expected to generate an estimated 192 incremental residents and 3 incremental employees, as compared to the 2028 No-Action condition.

Table A-2: Comparison of No-Action and With-Action Development Scenarios

Use	No-Action	With-Action	Increment
Residential Dwelling units (DUs) Gross Square Footage (GSF)	 0 DUs 0 GSF	 66 DUs 82,759 GSF	 +66 DUs +82,759 GSF
Commercial (GSF)	0 GSF	0 GSF	0 GSF
Manufacturing (GSF)	0 GSF	0 GSF	0 GSF
Parking	0	0	0
Population/Employment [1]	**No-Action**	**With-Action**	**Increment**
Residents	0	192	+192
Workers	0	3	+3

Notes: [1] Assumptions based on the average household size of 2.91 persons per household for Claremont Village-Claremont (East) Neighborhood Tabulation Area (NTA) according to the 2020 Census. Employee generation rates are based on one worker per 25 DUs and includes live-in superintendent.

VII. REQUIRED APPROVALS

The applicant requires zoning text and map amendments, as well as disposition of City property, a UDAAP and public financing to construct the Proposed Project at 1640 Anthony Avenue. The proposed zoning changes, site disposition, and UDAAP are discretionary public actions that are subject to both the Uniform Land Use Review Procedure (ULURP) and CEQR. The public funding is subject to CEQR.

The City's ULURP process, mandated by Sections 197-c and 197-d of the New York City Charter, is designed to allow public review of ULURP applications at four levels: the Community Board; the Borough President; the CPC and the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of approximately seven months. The process begins with certification by CPC that the ULURP application is complete. The application is then referred to the relevant Community Board (in this case Bronx Community Board 4). The Community Board has up to 60 days to review and discuss the proposal, hold a public hearing, and adopt an advisory resolution on the ULURP application. The Bronx Borough President then has up to 30 days to review the application. The CPC then has up to 60 days, during which time a public hearing is held on the ULURP application. If approved by the CPC, the application is then forwarded to the City Council, which has 50 days to review the ULURP application.

CEQR is a process by which agencies review discretionary actions to identify the effects those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act (SEQRA). In addition, the City has published a guidance manual for environmental review, the 2021 *CEQR Technical Manual*.

ATTACHMENT B

SUPPLEMENTAL SCREENING

I. INTRODUCTION

This Environmental Assessment Statement ("EAS") has been prepared in accordance with the guidance and methodologies presented in the 2021 *City Environmental Quality Review ("CEQR") Technical Manual*. For each technical area, thresholds are defined, which if met or exceeded, require that a detailed technical analysis be undertaken. Using this guidance, preliminary screening assessments were conducted for the Proposed Actions and resultant Proposed Project to determine whether detailed analysis of any technical area may be appropriate. Part II of the EAS Form identifies those technical areas that warrant additional assessment. For those technical areas that warranted a "Yes" answer in Part II of the EAS Form, including Land Use, Zoning, and Public Policy; Shadows; Urban Design and Visual Resources; Hazardous Materials; Air Quality; and Noise; supplemental screening assessments are provided in this attachment. The remaining technical areas detailed in the 2021 *CEQR Technical Manual* were not deemed to require supplemental screening because they do not trigger initial CEQR thresholds and/or are unlikely to result in significant adverse impacts. The following technical areas screened out from any further assessment: Socioeconomic Conditions; Community Facilities; Open Space; Historic and Cultural Resources; Natural Resources; Water and Sewer Infrastructure; Solid Waste and Sanitation Services; Energy; Transportation; Greenhouse Gas Emissions and Climate Change; Public Health; Neighborhood Character; and Construction.

The supplemental screenings contained herein identified that additional analyses are required in the areas of Land Use, Zoning, And Public Policy, Shadows, Urban Design and Visual Resources, Hazardous Materials, and Noise. These analyses are provided in **Attachments C through G**, respectively. **Table B-1** presents a summary of analysis screening information for the Proposed Actions.

In the future with the approval of the Proposed Actions, the Project Sponsor would develop a new 13-story (130-feet tall), approximately 82,759 gross square foot (gsf) residential building ("Proposed Project") on Lot 23 of Block 2888 at 1640 Anthony Avenue (the "Projected Development Site"). The Proposed Project would include approximately 66 dwelling units (DUs), which would be affordable cooperative housing units, and residential amenities. As described in **Attachment A, "Project Description,"** none of the other tax lots affected by the proposed zoning changes are expected to be redeveloped or enlarged in the future with the Proposed Actions.

TABLE B-1
Summary of CEQR Technical Areas Screening

CEQR TECHNICAL AREA	SCREENED OUT PER EAS FORM	SCREENED OUT PER SUPPLEMENTAL SCREENING	ANALYSIS REQUIRED
Land Use, Zoning, & Public Policy			X
Socioeconomic Conditions	X		
Community Facilities and Services	X		
Open Space	X		
Shadows			X
Historic & Cultural Resources	X		
Urban Design & Visual Resources			X
Natural Resources	X		
Hazardous Materials			X
Water and Sewer Infrastructure	X		
Solid Waste & Sanitation Services	X		
Energy	X		
Transportation - Traffic & Parking - Transit - Pedestrians	 X X X		
Air Quality - Mobile Sources - Stationary Sources	 X	 X	
Greenhouse Gas Emissions	X		
Noise			X
Public Health	X		
Neighborhood Character	X		
Construction	X		

II. SUPPLEMENTAL SCREENING AND SUMMARY OF DETAILED ANALYSES

Land Use, Zoning and Public Policy

See **Attachment C, "Land Use, Zoning, and Public Policy."**

Shadows

See **Attachment D, "Shadows**."

Urban Design and Visual Resources

See **Attachment E, "Urban Design and Visual Resources."**

Hazardous Materials

See **Attachment F, "Hazardous Materials."**

Air Quality

According to guidance provided in the *CEQR Technical Manual*, air quality analyses are conducted in order to assess the effect of an action on ambient air quality (i.e., the quality of the surrounding air), or effects on the project because of ambient air quality. Air quality can be affected by "mobile sources," pollutants produced by motor vehicles, and by pollutants produced by fixed facilities, i.e., "stationary sources." As per the *CEQR Technical Manual*, air quality assessments should be conducted for actions that can result in either significant adverse mobile source or stationary source air quality impacts.

Mobile Sources

Per the EAS Form, further analysis of air quality mobile sources from action-generated vehicle trips has been screened out. Per the EAS Form, the Proposed Actions would not generate peak hour vehicle volumes in exceedance of the CEQR threshold of 170 vehicle trips and would not generate peak hour vehicle volumes in exceedance of the CEQR thresholds for heavy-duty diesel vehicle (HDDV) traffic or the vehicular emissions equivalent on adjacent roadways.

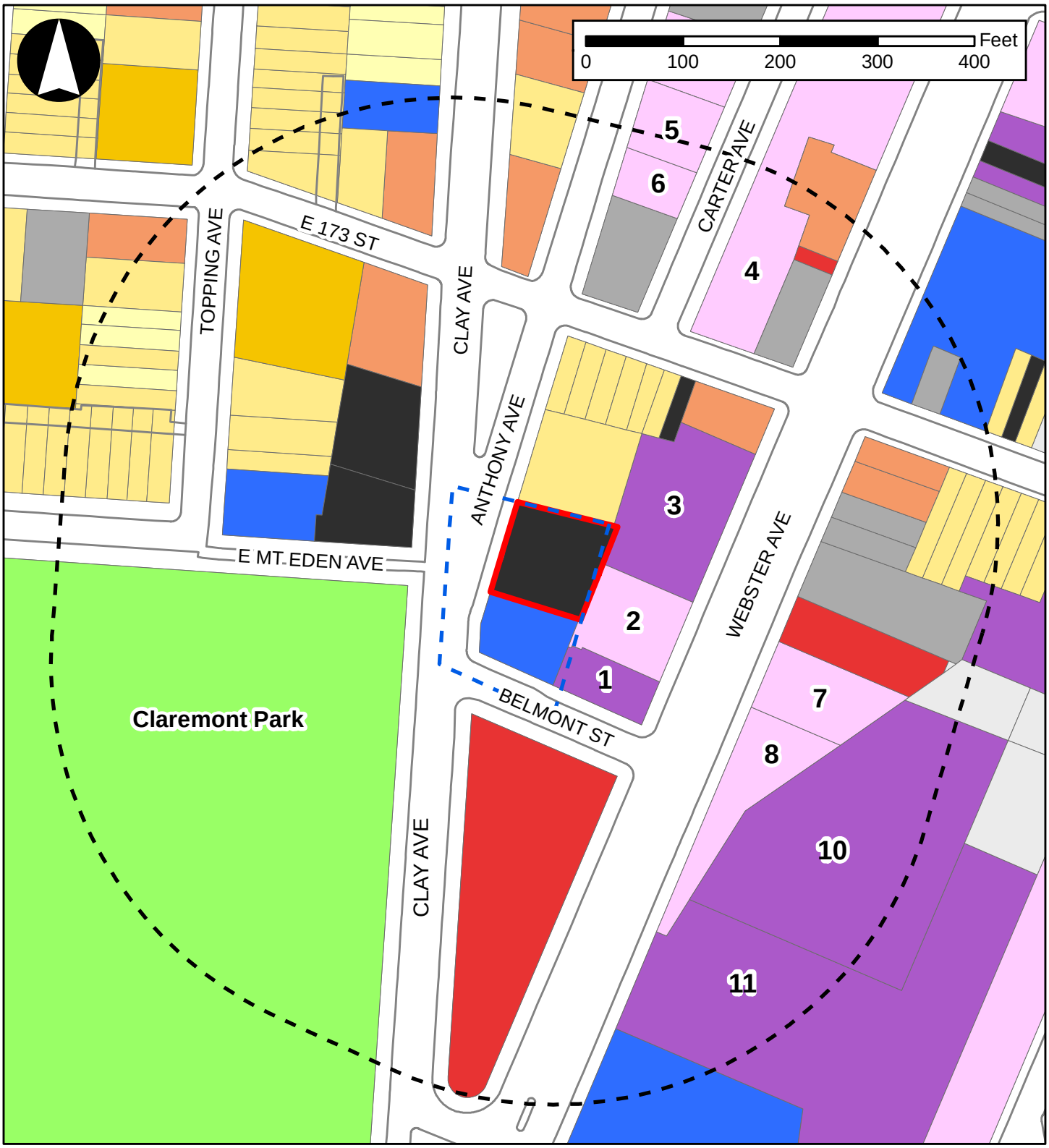
Stationary Sources

Stationary source impacts could occur with actions that create new stationary sources or pollutants, such as emission stacks for industrial plants, hospitals, or other large institutional uses, or a building's boiler stacks used for heating/hot water, ventilation, and air conditioning ("HVAC") systems, which can affect surrounding uses. Impacts from boiler emissions associated with development are a function of fuel type, stack height, minimum distance of the stack on the source building to the closest building of similar or greater height, building use, and the square footage size of the source building. In addition, stationary source impacts can occur when new uses are added near existing or planned emissions stacks, or when new structures are added near such stacks and those structures change the dispersion of emissions from the stacks so that they affect surrounding uses.

The Proposed Actions would facilitate the development of a new 13-story (130-feet tall) residential building on the block bounded by Anthony Avenue to the west, Belmont Street to the south, Webster Avenue to the east, and East 173rd Street to the north. The Project Sponsor would use electrically driven heating and cooling pumps for the HVAC and hot water needs of the Proposed Project. As such, no on-site combustion emissions would occur due to the Proposed Project, and stationary source air quality HVAC analyses would not be warranted for the project.

Land use maps were reviewed to identify any potential sources of emissions from manufacturing/ industrial processing or transportation/utility operations. The 400-foot study area surrounding the Projected Development Site supports a wide range of land uses, including mixed-use residential and commercial, institutional, commercial, residential, parking, and vacant land as well as a few light industrial and transportation uses (see **Figure B-1**). As shown in **Table B-2**, the existing light industrial and transportation uses within 400 feet of the site include self-storage facilities, construction contractors, showrooms, and warehouse/ storage facilities, as well as automotive service and repair shops. Based on a review of DEP's Clean Air Tracking System (CATS) Light Industrial Permit records and as shown in **Table B-3**, there are no current industrial air permits for manufacturing or processing facilities within 400 feet of the Projected Development Site. The nine current permits are for boilers. In addition, a field survey conducted in February 2023 confirmed that none of the automotive service and repair shops within 400

Light Industrial and Transportation Uses



Legend

Rezoning Area
Project Site
400-Foot Radius

Land Use

One & Two Family Buildings
Multi-Family Walkup Buildings
Multi-Family Elevator Buildings
Mixed Commercial/Residential Buildings
Commercial/Office Buildings
1 Industrial/Manufacturing (keyed to Table B-3)
2 Transportation/Utility (keyed to Table B-3)
Public Facilities & Institutions
Open Space
Parking Facilities
Vacant Land
All Others or No Data

feet of the Project Area include spray painting booths that could have any associated emissions. There are also no major or large combustion sources located within a 1,000 feet radius of the Project Area. Based on this information, no industrial source air quality analysis is warranted for the Proposed Actions. As such, no significant adverse industrial source or large emission source air quality impacts are expected in the future with the Proposed Actions.

TABLE B-2: Description of Existing Light Industrial/Processing or Automotive-Related Uses within 400-feet of the Project Area

Map No.	Block	Lot	Address	Existing Use	Business Name
1	2888	58	1639 Webster Ave	Auto Parts Retailer	Eastern Lacquer
2	2888	50	1645 Webster Ave	Auto Mechanic	Bravo Auto Body
3	2888	43	1665 Webster Ave	Warehouse	Prime Warehouse
4	2889	61	1674 Carter Ave	Auto Mechanic	Oscar Auto Repair
5	2889	33	1680 Anthony Ave	Vacant Building	-
6	2889	35	1686 Anthony Ave	Auto Mechanic	Auto Repair Inc
7	2897	39	1650 Webster Ave	Auto Mechanic	Freddy and Henry Auto Repair Corp.
8	2897	29	1628 Webster Ave	Tire Repair	Agil Flat Fix Shop Corp.
9	2897	62	428 East 173rd St	Warehouse	JP Express Shipping Corp.
10	2897	140	1624 Webster Ave	Warehouse	Elmax Lumber and Building Supplies
11	2897	24	1620 Webster Ave	Warehouse	Tulnoy Lumber

Notes: Map no. references **Figure B-3**.
Source: Field Survey conducted in February 2023

TABLE B-3: DEP's Clean Air Tracking System (CATS) Current Light Industrial Permits

Block	Lot	Address	Existing Land Use	Permit Type	Application Number	Expiration Date
2888	39	380 East 173rd St	Mixed Residential and Commercial Building	Boiler	#CB171606	12/14/2024
				Boiler	#CB029006	11/01/2024
2897	29	1628 Webster Ave	Transportation and Utility	Boiler	#CB102909	08/11/2024
				Boiler	#CB901005	03/16/2024
				Boiler	#CR791715	08/27/2024
				Boiler	#CR818115	10/05/2024
				Boiler	#CR028420	06/18/2023
2790	10	1660 Topping Ave	Multi-Family Elevator Building	Boiler	#CA344187	11/09/2023
2898	1	1700 Webster Ave	Public Facilities and Institutions	Boiler	#CR013720	02/19/2023

Source: NYC DEP CATS Permits information database.

Noise

See **Attachment G, "Noise."**

ATTACHMENT C

LAND USE, ZONING & PUBLIC POLICY

I. INTRODUCTION

Under 2021 *CEQR Technical Manual* guidance, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed action(s) and determines whether the action(s) would be compatible with those conditions or potentially adversely affect them. Similarly, the analysis considers the proposed action's compliance with, and effect on, the area's zoning and other applicable public policies.

As discussed in **Attachment A, "Project Description,"** the Proposed Actions involve zoning changes that would affect a portion of a single block (Bronx Block 2888), which is bounded by East 173rd Street to the north, Webster Avenue to the east and Anthony and Clay Avenues to the west with Belmont Street bisecting the block in the Claremont neighborhood of the Bronx Community District (CD) 4. The Proposed zoning changes would affect portions of five lots on the west side of Block 2888 (Lot 21, and most of Lot 23, as well as sliver portions of Lots 28, 50, and 58; the "Proposed Rezoning Area") totaling 14,688-sf. The Proposed Actions, which include a zoning map amendment, a zoning text amendment, disposition of real property, and Urban Development Action Area Project (UDAAP), as well as public financing, would facilitate the development of a new 13-story (130-feet tall) approximately 82,759-gross square foot (gsf) building, containing 66 affordable residential dwelling units (DUs) at 1640 Anthony Avenue (Bronx Block 2888, Lot 23; the "Projected Development Site") by the Project Sponsor. The proposed zoning changes would map an R8 district, as well as establish a Mandatory Inclusionary Housing (MIH) area coterminous with the proposed R8 zoning district, along the east side of Anthony Avenue/Clay Avenue between East 173rd Street and Belmont Street (see **Figure A-1 in Attachment A**).

According to the *CEQR Technical Manual*, a land use and zoning analysis is warranted for actions facilitating a change in land use or zoning. As the Proposed Actions involve zoning changes that would result in an increase in the allowable density, an analysis of land use and zoning is warranted. Furthermore, the *CEQR Technical Manual* recommends that if a preliminary assessment cannot succinctly describe land use conditions in the study area, or if a detailed assessment is required in the technical analyses of socioeconomic conditions, neighborhood character, transportation, air quality, noise, infrastructure, or hazardous materials, a detailed land use assessment is appropriate. As such, a detailed land use and zoning assessment is warranted for the Proposed Actions.

II. METHODOLOGY

The purpose of this attachment is to examine the effects of the Proposed Actions and determine whether they would result in any significant adverse impacts on land use, zoning, or public policy. The analysis methodology is based on the guidance of the *CEQR Technical Manual* and examines the Proposed Actions' consistency with land use patterns and development trends, zoning regulations, and other applicable public policies.

This attachment includes a description of existing land uses and zoning within the directly affected area and the broader study area. Following the guidance of the *CEQR Technical Manual*, the analysis describes existing and anticipated future conditions to a level necessary to understand the relationship of the Proposed Actions to such conditions, assesses the nature of any changes on these conditions that would

be created by the Proposed Actions, and identifies those changes, if any, that could be significant or adverse.

Existing land uses were identified through review of a combination of sources including field surveys and secondary sources, as well as the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2022 and websites, such as New York City's Zoning and Land Use Map (ZoLa, https://zola.planning.nyc.gov) and NYCityMap (http://gis.nyc.gov/doitt/nycitymap/). New York City Zoning Maps and the Zoning Resolution (ZR) of the City of New York were consulted to describe existing zoning districts and provided the basis for the zoning evaluation of the future No-Action and future With-Action conditions. Relevant public documents including documents recognized by the New York City Department of City Planning (DCP) and other City agencies were utilized to describe existing public policies pertaining to the study areas.

Analysis Year

As discussed in **Attachment A, "Project Description,"** development on the Projected Development Site under the Proposed Actions is expected to be completed by 2028. Therefore, for the purposes of determining potential impacts, this analysis assesses current conditions and forecasts those conditions for 2028. Future No-Action conditions account for planned land use and development projects, initiatives, and proposals that are anticipated to be completed by 2028.

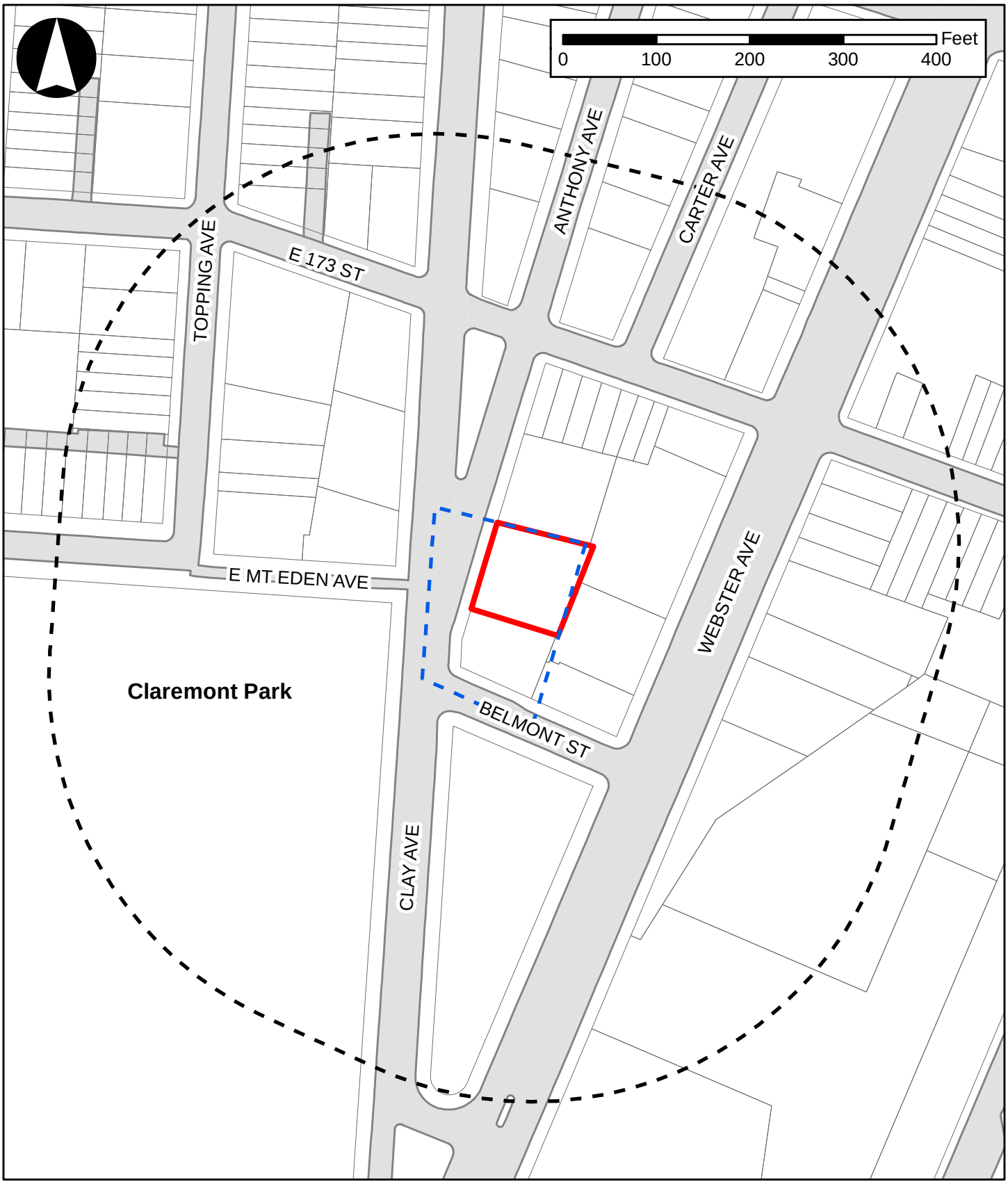
Study Area Definition

According to the *CEQR Technical Manual*, the appropriate study area for land use, zoning, and public policy is related to the type and size of an action, as well as the location and context of the area that could be affected. Study area boundaries vary according to these factors, with suggested study areas ranging from 400 feet for a small project to 0.5 mile for a large project. The study areas for the Proposed Actions have been established in accordance with *CEQR Technical Manual* guidance and are shown in **Figure C-1**.

As shown in **Figure C-1**, land use, zoning, and public policy are addressed and analyzed for two geographical areas for the Proposed Actions. The study areas include: (1) the directly affected area (or "Project Area"), which comprises the Proposed Rezoning Area and Projected Development Site (Block 2888, Lots 21 and 23, and sliver portions of Lots 28, 50 and 58[1]); and (2) a secondary study area that encompasses an area that has the potential to experience indirect impacts as a result of the Proposed Actions. The secondary study area extends an approximate 400-foot radius from the boundary of the primary study area. The secondary study area is bounded to the north by the midblock between East 173rd Street and East 174th Street, midblock between Webster Avenue and Park Avenue to the east, midblock between Monroe Avenue and Topping Avenue to the west, and the intersection of Clay and Webster Avenues to the south.

[1] The Project Area includes small sliver portions of Lots 28, 50, and 58, which would be up zoned as a result of the proposed zoning changes. The majority of these three lots would not be rezoned as part of the Proposed Actions.

Figure C-1
Primary and Secondary Study Areas



Legend

Rezoning Area (Primary Study Area) | Projected Development Site | 400-Foot Radius (Secondary Study Area)

IV. DETAILED ANALYSIS

Existing Conditions

Land Use

Primary Study Area (Project Area)

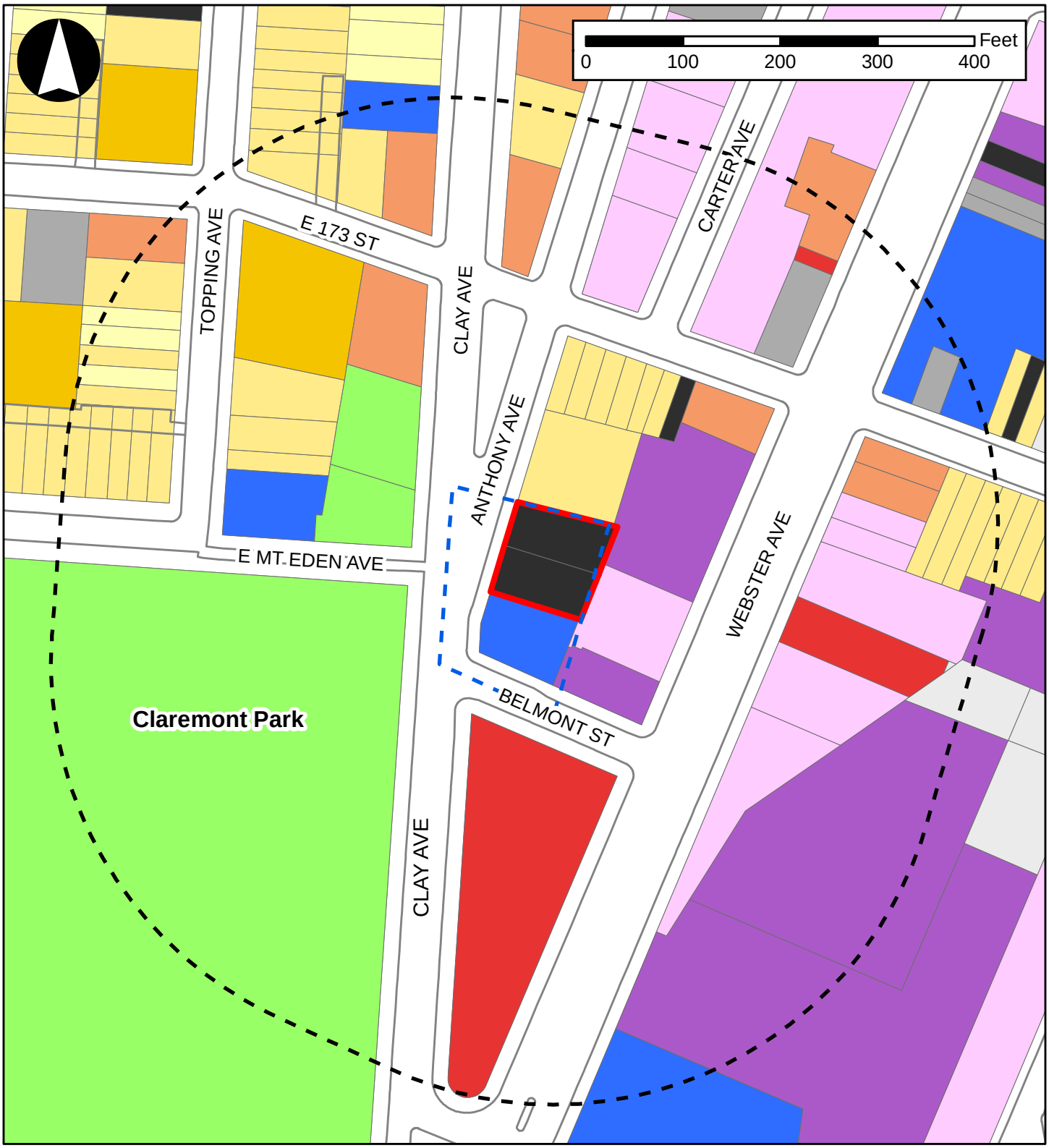
The primary study area includes portions of five lots comprising the western portion of the Bronx Block 2888, which is bounded by East 173rd Street to the north, Webster Avenue to the east, and Anthony Avenue/Clay Avenue to the west with Belmont Street bisecting the block into two parts. It consists of a single City-owned tax lot (Lot 23), which comprises the Projected Development Site and has frontage along the east side of Anthony Avenue, one non-Applicant owned lot (Lot 21) that has frontage along Anthony Avenue, Clay Avenue, and Belmont Street, and slivers of three additional privately-owned lots (Lots 28, 50, and 58). Lot 28 has frontage on Anthony Avenue, Lot 50 has frontage on Webster Avenue, and Lot 58 is a corner lot with frontage on Belmont Street and Webster Avenue.

Anthony Avenue, East 173rd Street, and Belmont Street are considered narrow streets as defined by the New York City Zoning Resolution (ZR) as they have mapped widths less than 75 feet; East 173rd Street is 50 feet wide; Belmont Street is 60 feet wide; and Anthony Avenue is 60 feet wide. Anthony Avenue is a one-way southbound local road, whereas Belmont Street and East 173rd Street are two-way east-west local roads. Webster Avenue and Clay Avenue are considered wide streets as defined by ZR at 100 feet wide. Webster Avenue is a major two-way north-southbound local truck route. Clay Avenue is southbound one-way.

As shown in **Figure C-2**, the primary study area consists largely of vacant land, as well as a single community facility. The Projected Development Site (Block 2888, Lot 23) at 1640 Anthony Avenue measures approximately 10,237-sf and is located on the mid-block of Anthony Avenue between Belmont Street and East 173rd Street. The Projected Development Site has approximately 99 feet of frontage on Anthony Avenue and extends east from Anthony Avenue at a depth of approximately 104 feet. As discussed above, it is currently vacant and overgrown with vegetation and enclosed by fencing with no public access.

The non-Applicant controlled Lot 21, measures approximately 4,590 sf and is located on the northeast corner of Anthony Avenue/Clay Avenue and Belmont Street. The lot has approximately 62 feet of frontage on Anthony Avenue/Clay Avenue and 86 feet of frontage along Belmont Street. The lot is currently improved with a two-story, approximately 13,800-gsf building (3.0 FAR) built in 1973 that houses a publicly funded Early Childhood Program (known as the Labor Bathgate Child Care Center).

The three additional lots (Lots 28, 50, and 58) each have small portions (less than 8%) of their area within the Project Area. Lot 28, located at 1644 Anthony Avenue, is a rectangular shaped 10,074-sf lot with nearly 100 feet of frontage on Anthony Avenue that contains a five-story walkup apartment building (3.6 FAR) built in 1924 containing 51 DUs. Only approximately 77-sf of the southern portion of Lot 28 is included within the Project Area (approximately 0.76 percent of the total lot area). Lot 50, located at 1645 Webster Avenue, is an irregularly shaped 9,087-sf lot with approximately 90 feet of frontage along Webster Avenue, and is currently developed with a one-story, 8,900-gsf auto body shop (0.97 FAR) constructed in 1932. Only a small, approximately 122-sf, or approximately 1.34 percent, rear portion of Lot 50 is located



Legend

- Rezoning Area (Primary Study Area)
- Projected Development Site
- 400-Foot Radius (Secondary Study Area)

Land Use

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

within the Project Area. Lot 58, located at 1639 Webster Avenue, is a 4,317-sf corner lot with approximately 45 feet of frontage along Webster Avenue and 97 feet of frontage along Belmont Street. It is currently developed with a one-story, 4,228-gsf automotive supplies shop (0.97 FAR) constructed in 1948. Only an approximately 330-sf portion, or approximately 7.64 percent, of Lot 58 is located within the Project Area.

Secondary Study Area (400-foot Radius)

As shown in **Figure C-2**, land uses within the secondary study area are varied and include a mix of single- and multi-family residential and mixed-use buildings, transportation/utility uses, and some high performance industrial/manufacturing uses. There is also a significant amount of open space in the study area, as well as a handful of commercial/office buildings and public facilities/institutions scattered throughout.

Residential uses are generally located in the northern portion of the study area, particularly along Topping Avenue, East 173rd Street, and Anthony Avenue, as well as on the north side of East Mt. Eden Avenue. They generally occupy small to medium-sized rectangular lots and consist of one-or two-family buildings and multifamily walkup apartment buildings. Larger multiunit residential uses are located at street corners along East 173rd Street. In addition to the five-story, 51 dwelling unit multi-family walkup building directly north of the Projected Development Site, there are several multi-family walkup buildings along East 173rd Street, which comprise the northern portion of the subject block.

Mixed-use commercial and residential buildings are generally clustered along the street corners of East 173rd Street and Webster Avenue, which is a major corridor and local truck route. Commercial uses and light industrial uses are also located along the Webster Avenue corridor. Commercial uses include a restaurant, a fast food establishment, and an office building. Light industrial uses, which are concentrated along Webster Avenue south of East 173rd Street, include warehouses for automobile parts and a lumber yard. Transportation-related uses, which are dispersed along Webster Avenue and Carter Avenue, consist of automotive service shops. There are a few public facilities within the secondary area, which include a Salvation Army location on Topping Avenue, a few schools on Webster Avenue, and a house of worship (church) on Clay Avenue. There are six parking facilities, which serve as accessory parking for the auto repair shops along Webster Avenue and Carter Avenue. There are also two publicly accessible open space uses located directly west of the primary study area along Clay Avenue, including part of Claremont Park, a large 38.5-acre park that is partially within the secondary study area to the southwest, and Barry Plaza.

Table C-1 provides a description of existing land use within the secondary study area. As shown in **Table C-1**, residential uses are the most prevalent throughout the study area and constitute the highest percentage of tax lots, lot area, and building area (approximately 49, 28, and 50 percent, respectively). Of the residential uses, multi-family walkup houses comprise the highest percentage of total lots (approximately 42 percent). Mixed use residential and commercial buildings and parking facilities each account for approximately ten percent of total lots, but mixed-use lots account for approximately 18 percent of building area while parking facilities account for approximately 6 percent of building area. Commercial buildings, industrial/manufacturing, public facilities, and vacant uses account for approximately five percent of total lots each, but industrial/manufacturing uses account for approximately 22 percent of lot area, which is the second most of all land uses.

TABLE C-1: Existing Land Uses in the Secondary Study Area

Land Use	Number of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential	30	49.2%	97,130	28.2%	246,139	49.7%
One & Two Family Buildings	*3*	*4.9%*	*5,700*	*1.7%*	*8,874*	*1.8%*
Multi-Family Walkup Buildings	*26*	*42.6%*	*72,959*	*21.2%*	*167,665*	*33.9%*
Multi-Family Elevator Buildings	*1*	*1.6%*	*18,471*	*5.4%*	*69,600*	*14.1%*
Mixed Commercial/Residential Buildings	6	9.8%	25,928	7.5%	87,985	17.8%
Commercial/Office Buildings	3	4.9%	44,166	12.8%	35,150	7.1%
Industrial/Manufacturing	3	4.9%	75,777	22.0%	52,520	10.6%
Transportation/Utility	4	6.6%	31,873	9.2%	20,983	4.2%
Public Facilities & Institutions	3	4.9%	16,641	4.8%	23,435	4.7%
Open Space	2	3.3%	10,012	2.9%	0	0.0%
Parking Facilities	6	9.8%	28,273	8.2%	28,854	5.8%
Vacant Land	3	4.9%	15,028	4.4%	0	0.0%
All Others/No Data	1	1.6%	51	0.0%	0	0.0%
Total	**61**	**100.0%**	**344,879**	**100.0%**	**495,066**	**100.0%**

Source: NYC Department of City Planning (PLUTO 2022 v3)

Zoning

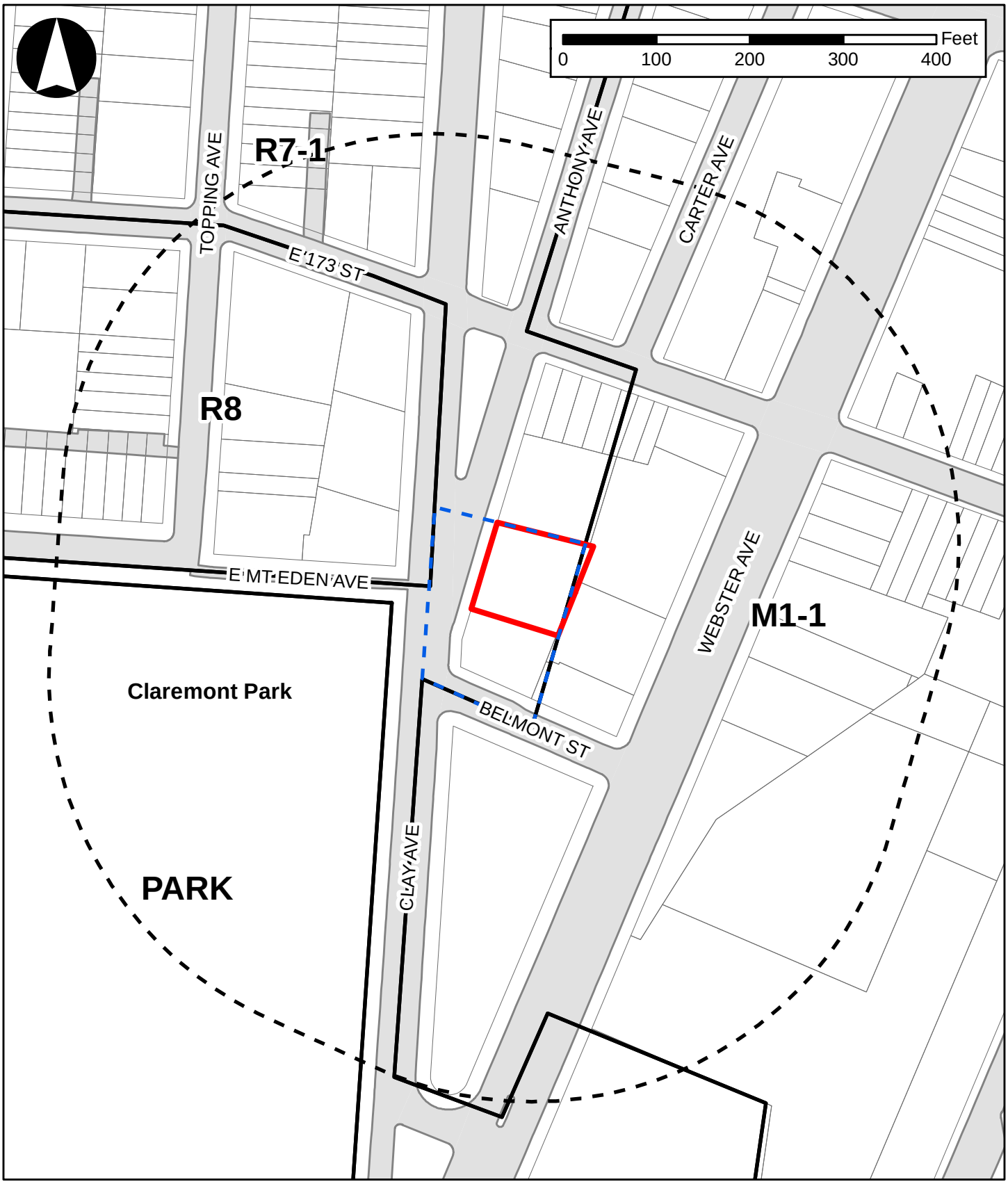
Primary Study Area

As shown in **Figure C-3**, the primary study area is within the Greater Transit Zone and is largely zoned R7-1, which permits residential and community facility use. R7-1 districts permit standard residential uses up to 3.44 FAR (4.0 FAR for zoning lots, or portions thereof, located within 100 feet of a wide street). Community facilities are permitted up to 4.8 FAR. Commercial and manufacturing uses are not permitted as-of-right in R7-1 zoning districts. Off-street accessory parking in the Outer Transit Zone is required for 25 percent of standard DUs but can be waived for up to 15 spaces. No accessory parking spaces are required for ancillary dwelling units, qualifying affordable housing, or qualifying senior housing.

In addition, an approximately 667-sf portion of the primary study area, comprising the eastern edge of the Projected Development Site, is zoned M1-1, which permits high performance industrial or manufacturing uses and certain commercial and community facility uses. Commercial and manufacturing uses are permitted up to 1.0 FAR in M1-1 zoning districts, and community facilities up to 2.4 FAR. Residential uses are not permitted as-of-right in M1-1 zoning districts. Off-street parking requirements are based on the type of use and size of the establishment.

Secondary Study Area

Zoning classifications within the secondary study area are also shown in **Figure C-3** and consist of medium-density residential districts and a high-performance manufacturing zoning district. As shown in **Figure C-3**, R7-1 zoning is mapped west of Webster Avenue along Anthony Avenue and Clay Avenue. R8 zoning is mapped west of Anthony Avenue and south of East 173rd Street. M1-1 zoning is east of Anthony Avenue and along the Webster Avenue corridor. There are no commercial zoning districts or commercial overlays in the secondary study area. Zoning classifications within the secondary study area are described in **Table C-3**.



Legend

Rezoning Area (Primary Study Area) | Projected Development Site | 400-Foot Radius (Secondary Study Area) | R7-1 Zoning Districts

TABLE C-3: Existing Zoning Districts within the Secondary Study Area

Name	Definition/General Use	Maximum FAR
Residential Districts		
R7-1	R7-1 districts are widely mapped in built-up, medium-density areas. R7-1 districts are non-contextual residential zoning districts. Within the Outer Transit Zone, off-street accessory parking is required for 25 percent of standard DUs but could be waved or modified.	R: 3.44 (up to 4.0 along wide streets) for standard residences and up to 5.01 for qualifying affordable/senior; CF: 4.8; C/M: 0.0
R8	R8 districts are widely mapped in built-up, high-density areas. R8 districts are non-contextual residential zoning districts. Within the Outer Transit Zone, off-street accessory parking is required for 12 percent of standard DUs but could be waved or modified.	R: 6.02 (up to 7.2 along wide streets) for standard residences and up to 7.2 for qualifying affordable/senior (up to 8.64 for UAP developments/qualifying senior); CF: 6.5; C/M: 0.0
Manufacturing Districts		
M1-1	M1-1 zoning districts are often buffers between residential and commercial districts and heavy industry M2 and M3 districts. M1-1 zoning districts permit community facility, commercial, and manufacturing uses. Residential uses are not permitted in M1-1 districts. Off-street accessory parking is required based on the type of use and size of establishment in the M1-1 zoning district.	R: 0.0; CF: 2.4; C/M: 1.0

Source: Zoning Resolution of the City of New York
Notes: R=Residential; C=Commercial; CF=Community Facility; M=Manufacturing

Public Policy

According to the *CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the study area. If a proposed project could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

Much of the eastern portion of the secondary study area is included within the Bathgate Industrial Business Zone (IBZ). While there are no specific initiatives and goals in the City's *Housing Our Neighbors: A Blueprint of Housing and Homelessness* plan that relates specifically to the primary or secondary study areas, it is a citywide policy initiative that would be applicable to the study areas and is, therefore, included also in this analysis. The primary and secondary study areas are also located within the Food Retail Expansion to Support Health Program (FRESH) zoning and discretionary tax incentive area with a portion of the secondary study area in the zoning incentives area.

The study areas are not part of, or subject to, an Urban Renewal Plan, adopted community 197-a Plan, nor Business Improvement District (BID). Neither the primary nor the secondary study area are located within New York City's designated Coastal Zone, and therefore the Proposed Actions are not subject to review of consistency with the City's Waterfront Revitalization Program (WRP). The Proposed Actions also do not include a largely publicly sponsored project, and as such, consistency with the City's OneNYC for sustainability is not warranted.

Housing Our Neighbors: A Blueprint for Housing and Homelessness

On June 14, 2022, the Adams administration released the *Housing Our Neighbors: A Blueprint for Housing and Homelessness,* a comprehensive plan intended to cover the entire spectrum of New Yorkers' housing needs and options, including City-subsidized affordable housing, public housing, private market-rate, and

greater supports homelessness. The plan is the result of an extensive stakeholder and community engagement process, which had involved direct engagement with New Yorkers who are experiencing or having experienced homelessness and outlines major steps the Adams administration will undertake:

- Significantly expand affordable homeownership opportunities and help communities build and maintain wealth;
- Accelerate the creation of supportive housing by completing the 15,000 supportive homes promised by 2030 two years ahead of schedule;
- Transform the New York City Housing Authority (NYCHA) by both delivering much-needed resources for repairs and improving and streamlining the services NYCHA provides residents with and the processes by which they do so;
- Break down government siloes to bolster transparency and address the full scope of the homelessness crisis, adding to the city's homeless tally while creating a more even playing field to give more New Yorkers in all the city's shelter systems access to critical services and resources; and
- Get New Yorkers into safe, high-quality, affordable homes faster and without forcing them to relive past trauma by eliminating unnecessary paperwork and obstacles to obtaining housing.

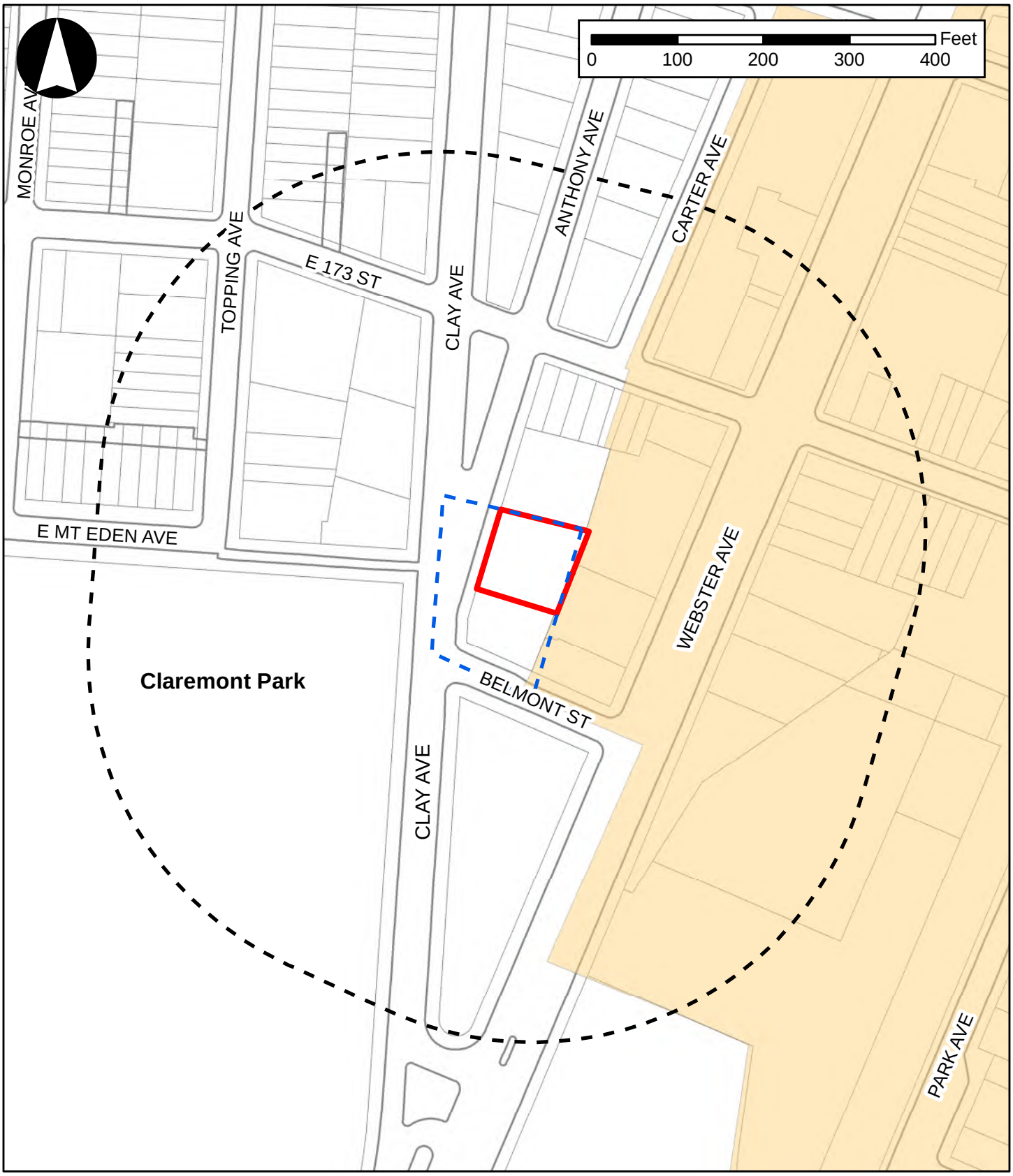
Bathgate Industrial Business Zone (IBZ)

Industrial Business Zones (IBZs) are geographic areas that serve as safe havens for manufacturing and industrial firms, under which the City of New York guarantees not to support the rezoning of properties to allow residential uses. IBZs were established in 2006 to protect existing manufacturing districts, foster economic development, and encourage industrial growth citywide. A tax credit of $1,000 per employee, up to $100,000, will be offered to industrial and manufacturing firms choosing to move into IBZs to help defray relocation costs and encourage industrial development in these areas throughout the City. The IBZs are comprised entirely of manufacturing-zoned land. However, not all the City's manufacturing-zoned land is included within IBZs. Currently there are 21 IBZs throughout the City; six in Brooklyn, five in the Bronx, seven in Queens, and three on Staten Island. There are no IBZs located in Manhattan.

The Bathgate IBZ is located directly east of the primary study within the secondary study area (see **Figure C-4**). Its western boundary is adjacent to the primary study area. The Bathgate IBZ is roughly bounded by East 176th Street to the north, Claremont Parkway to the south, 3rd Avenue to the east, and Carter Avenue and Webster Avenue to the west. It is bisected by Interstate 95 (the Cross Bronx Expressway).

Food Retail Expansion to Support Health Program (FRESH)

The Food Retail Expansion to Support Health Program (FRESH) was developed in response to a citywide study, "Going to Market," conducted by the DCP in 2008, which highlighted the widespread shortage of neighborhood grocery stores providing fresh food options in several communities of New York City. The FRESH Program offers zoning incentives and financial benefits in the identified underserved communities. Its goal is to encourage the development and retention of convenient, accessible stores that provide fresh meat, fruit and vegetables, and other perishable goods in addition to a full range of grocery products. The program offers a set of zoning incentives that provide additional floor area in mixed buildings, reduce the amount of parking required for food stores and permit larger grocery stores as-of-right in light manufacturing districts. The financial benefits, administered by the NYC Industrial Development Agency (IDA), exempt or reduce certain taxes for qualifying FRESH food stores.



Legend

400-foot Radius | Project Area | Projected Development Site | Bathgate IBZ

The primary study area and secondary study area are both within the area subject to zoning and discretionary tax incentives area while a small portion of the secondary study area encompasses the zoning incentives area (see **Figure C-5**). Discretionary tax incentives are available through the IDA. The tax incentives are discretionary and will be assessed on a per case basis for eligibility in the FRESH program. Zoning incentives include additional floor area in mixed-use residential and commercial buildings, reduction in required parking, and larger as-of-right stores in light manufacturing districts. The directly affected area is zoned for residential uses and does not permit commercial uses as-of-right. As such, the FRESH incentives discussed above are not applicable for the Proposed Actions.

The Future without the Proposed Actions (No-Action Condition)

Land Use and Zoning

Primary Study Area

As presented in **Attachment A, "Project Description,"** in the 2028 future without the Proposed Actions, it is anticipated that no zoning changes would occur within the directly affected area, and the existing uses would remain. The primary study area would continue to be largely zoned R7-1.

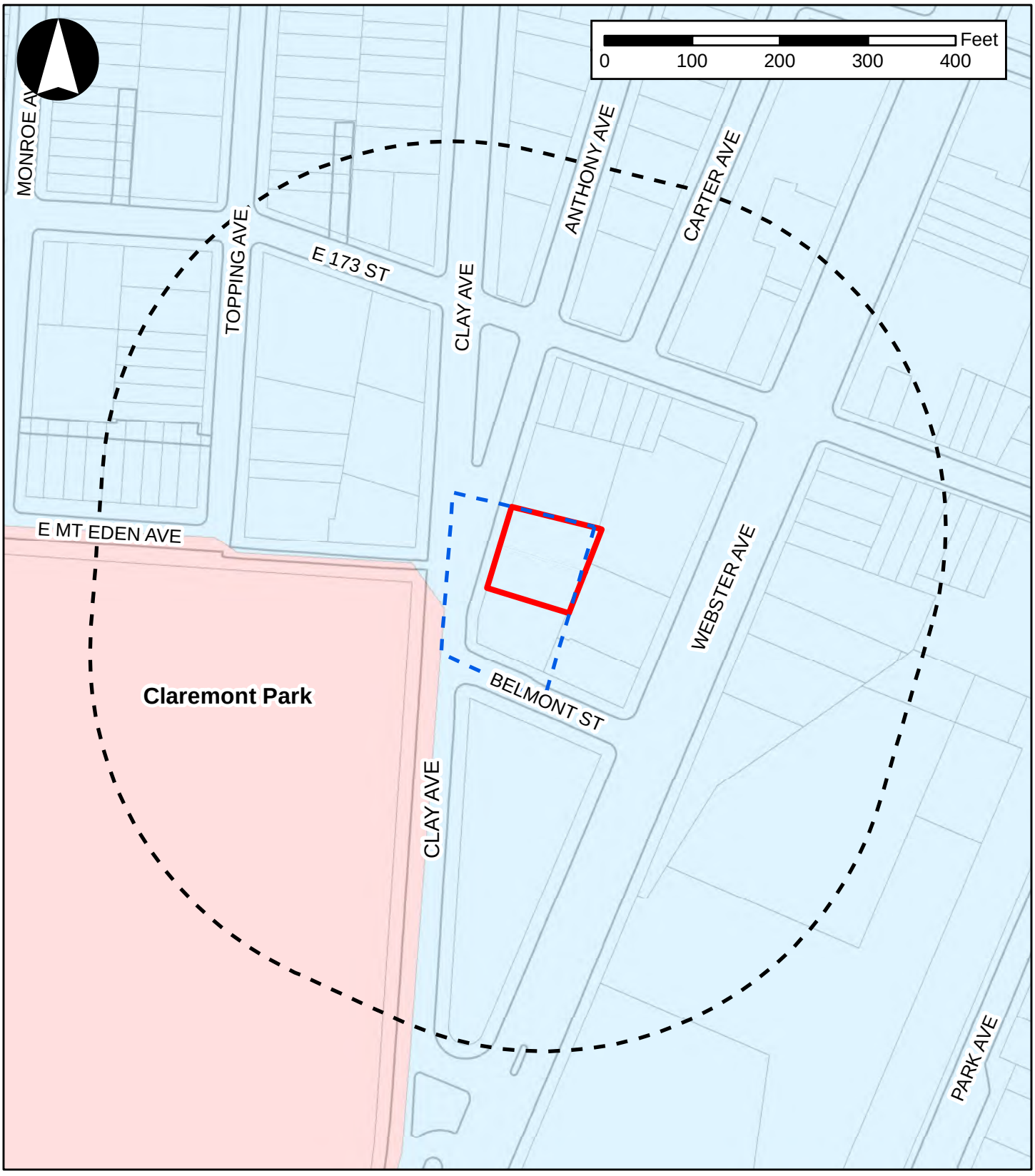
Secondary Study Area

Existing land use patterns are anticipated to continue in the surrounding area. There is no known zoning changes proposed, and no new developments anticipated to be completed by the 2028 analysis year in the 400-foot secondary study area.

For the purposes of other technical analyses that assess conditions in a larger study area, developments anticipated within an approximately ¼- and ½-mile of the primary study area are summarized in **Table C-4** and shown graphically in **Figure C-6**. As presented in **Table C-4**, in the future without the Proposed Actions, it is anticipated that 587 residential DUs, approximately 69,759 gsf of community facility space, and approximately 34 parking spaces would be developed within a ½-mile of the primary study area at nine sites.

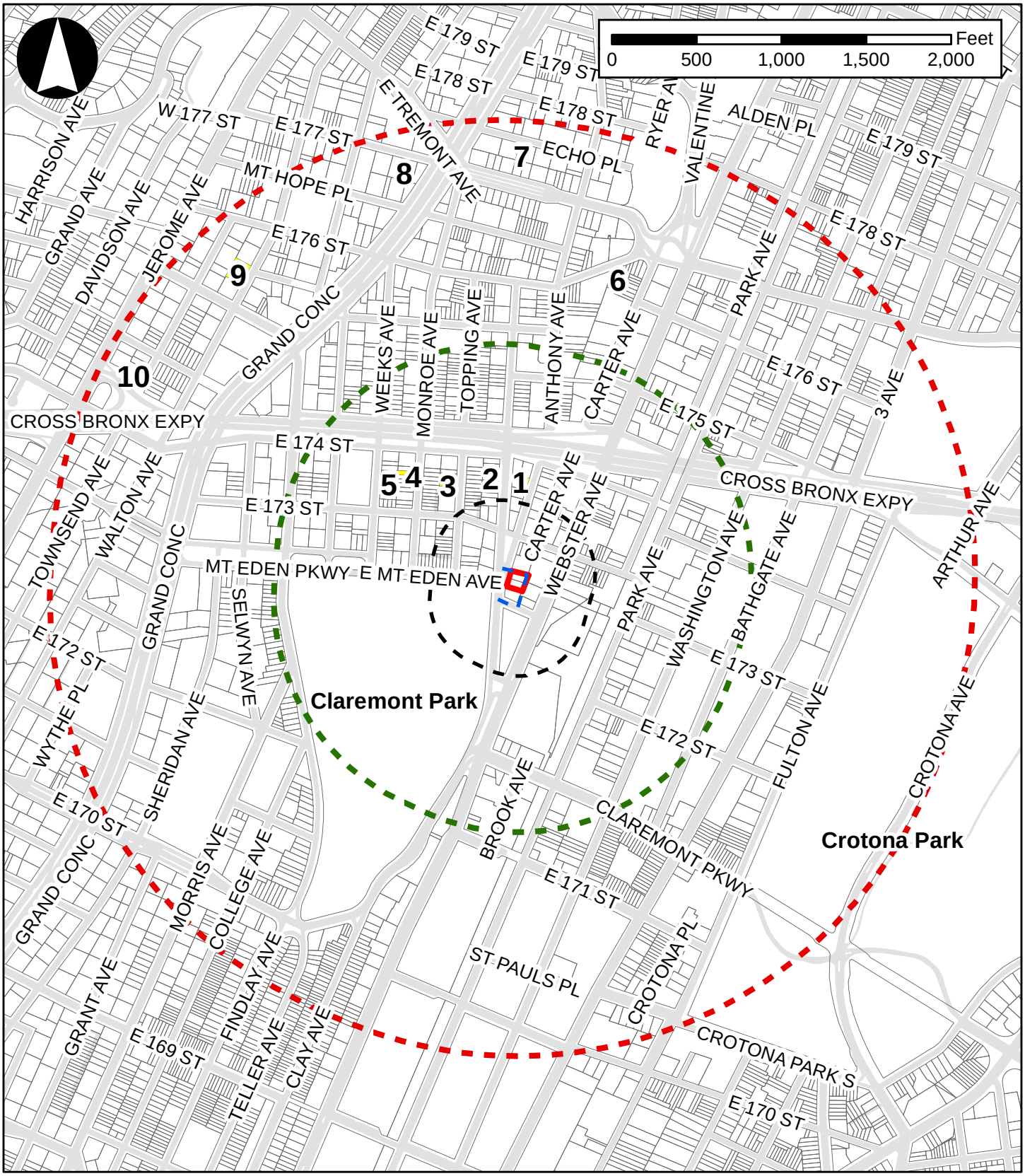
Public Policy

In the absence of the Proposed Actions, no changes to public policies are anticipated in the primary or secondary study areas.



Legend

- Projected Development Site
- Project Area
- 400-foot Radius
- Zoning and discretionary tax incentives
- Zoning incentives



Legend

- Rezoning Area (Primary Study Area)
- Projected Development Site
- 400-Foot Radius (Secondary Study Area)
- Quarter-Mile Radius
- Half-Mile Radius
- 1 — No Build Sites (refer to Table C-4)

TABLE C-4: Known No-Action Developments within ½-Mile of the Primary Study Area

Map No.[1]	Block	Lot	Address	Residential (DUs)	Commercial (GSF)	Office (GSF)	Community Facility (GSF)	Manufacturing (GSF)	Parking Spaces
No-Action Developments Within ¼-Mile									
1	2889	14	1701 Anthony Ave	7	0	0	0	0	0
2	2790	49	1701 Clay Ave	17	0	0	0	0	0
3	2791	50	1699 Topping Ave	23	0	0	1,245	0	7
4	2792	44	1695 Monroe Ave	46	0	0	0	0	27
5	2792	31	1688 Weeks Ave	68	0	0	0	0	0
No-Action Developments Within ½-Mile									
6	2892	34	334 East 176th St	154	0	0	28,994	0	0
7	2809	17	222 Echo Pl	44	0	0	0	0	0
8	2805	48	130 East 177th St	90	0	0	1,021	0	0
9	2850	63	1761 Walton Ave	103	0	0	38,499	0	0
10	2848	24	1677 Townsend Ave	35	0	0	0	0	0
Total				**587**	**0**	**0**	**69,759**	**0**	**34**

Sources: NYCDOB Active Major Construction, YIMBY
[1] Keyed to **Figure C-6**

The Future With the Proposed Actions (With-Action Condition)

Under the With-Action condition, the Proposed Actions, which include a zoning map amendment, zoning text amendment, as well as disposition of real property, UDAAP, and financing, would be approved. As described in **Attachment A, "Project Description,**" the Proposed Actions would facilitate the incremental development of 66 DUs at the Projected Development Site.

Land Use

Primary Study Area

The Proposed Actions would result in changes to land use within the primary study area by increasing the allowable density from what is currently permissible as-of-right. The Projected Development Site would be redeveloped to near its maximum allowable FAR of 7.20 for qualifying affordable/qualifying senior residences. The Proposed Actions would facilitate new residential development on the underutilized site. The proposed residential use would be consistent with the existing residential character and support existing uses already present in the surrounding area. The proposed residential use is expected to complement existing one-and two-family homes, multiunit walkup residential apartment buildings, and mixed-use residential and commercial buildings near the rezoning area located on the subject block and neighboring blocks.

The proposed development would also help further activate the streetscape by providing a continuous streetwall with neighboring buildings. The proposed residential district would allow higher density residential uses consistent with other residential uses in the neighboring area, including the mapped R8 district to the west.

The Proposed Actions would not generate land uses that would be incompatible with surrounding uses, nor would they directly displace land uses in such a way as to adversely affect surrounding land uses. The

introduction of housing in a transit accessible area would further contribute to the mission and purpose of integrating housing with transportation and jobs, thus encouraging live-work communities and transit-oriented development. Therefore, the Proposed Actions would support land use trends, and no significant adverse land use impacts are expected.

Secondary Study Area

The Proposed Actions are not expected to alter development trends or patterns in the secondary study area. The secondary study area would not undergo any changes because of the Proposed Actions. The Proposed Actions would have no direct effect on land use nor zoning in the secondary study area. The proposed residential use at the Projected Development Site would complement and be consistent with residential uses in the secondary study area. Replacing vacant land currently located at the Projected Development Site would also activate the streetscape on Anthony Avenue. As noted above, land uses in the secondary study area are varied with a dense mix of residential, transportation-related, manufacturing, parking, and commercial uses. The Project Area is close to mass transit and directly west of Claremont Park. Community facilities and local retail are located in the surrounding area and these uses can support the additional density of the Proposed Project would introduce.

Therefore, the Proposed Actions would not introduce any new land uses that would be incompatible with their surroundings, and the Proposed Actions would not represent a significant adverse impact on land use in the secondary study area in accordance with the criteria set forth in the *CEQR Technical Manual.*

Zoning

In the future with the Proposed Actions, the existing zoning in the primary study area would change along Anthony Avenue and Belmont Street. The existing R7-1 district would be rezoned to an R8 district.

The proposed zoning district would allow residential and community facility uses at a higher density than what is permissible as-of-right under existing conditions. It would increase the allowable residential density from 4.0 FAR (along a wide street) for standard residences to 7.2 FAR [2] and community facility density from 4.8 FAR to up to 6.5 FAR and would create additional zoning capacity in a transit-accessible area to support new housing creation and increase the number of affordable housing units available in New York City. The proposed rezoning area is well suited for additional development, given its proximity to public transit and as Anthony Avenue, Clay Avenue, and Webster Avenue are major arterial roads that support additional density. As detailed in the Bronx CD 4's Statement of Community District Needs and Community Board Budgetary Requests for the fiscal year of 2022, affordable housing is one of the three most pressing issues for CD 4, as housing supply is low and demand is extremely high making affordable housing options almost non-existent in the area.

The proposed zoning district would permit residential FAR of 7.2 (with the Mandatory Inclusionary Housing (MIH) Program) and community facilities up to 6.5 FAR. Pursuant to ZR Section 23-664, buildings containing standard residences on zoning lots within 100 feet of a wide street would be permitted a

[2] In R8 districts, outside of MIH area, for zoning lots, or portions thereof, located within 100 feet of a wide street, containing UAP development or qualifying senior housing, the maximum FAR increases to 8.64 under CHO. UAP developments must per permanently affordable, but the maximum income for all affordable units cannot exceed a weighted average of 60 percent AMI (adjusted for household size). For buildings with 10,000 square feet or more of affordable housing, at least 20 percent of affordable housing must be affordable to households with incomes not exceeding 40 percent AMI (adjusted for household size).

maximum height of 135 feet with a maximum base height of 95 feet. Qualifying affordable residences/qualifying senior residents on zoning lots within 100 feet of a wide street would be permitted a maximum building height of 145 feet and a maximum base height of 105 feet.. Buildings would be required to set back a depth of 10 feet (on a wide street) above a maximum base height of 105 feet. Within the Outer Transit Zone, off-street accessory parking would be required for 25 percent of standard residences dwelling units.

The proposed zoning change would allow for the redevelopment of a vacant lot for new affordable housing in an area that is well served by transit. The proposed zoning district is consistent with the City's policy to support additional development in transit accessible area. It would allow for larger bulks and higher building heights in the primary study area, which would enhance the zoning conformity in the surrounding area, which is largely zoned as residential districts. The proposed R8 district would be mapped along Anthony Avenue where it merges with Clay Avenue to form a wide street, which from the Applicant's perspective, would be appropriate for higher-density residential uses while maintaining the residential character of nearby side streets.

The proposed zoning text amendment would establish an MIH area coterminous with the rezoning area through ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Bronx Community District 4. The proposed text amendment would require the Applicant/Project Sponsor to develop in accordance with the MIH program and would mandate the provision of affordable housing in perpetuity. Future qualifying developments within the rezoning area would also be required to adhere to the requirements of the MIH program. Pursuant to the MIH program, a percentage of the new dwelling units would be affordable units, resulting in an affordable housing set-aside for 25 to 30 percent of the residential floor area under Options 1 and 2 which the Applicant intends to map. The Project Sponsor is planning to develop a building containing all affordable cooperative housing units. The City Council will select the MIH Option through ULURP. However, all future affordable housing set asides would ensure that future development within the rezoning area would help to address the need for housing to serve diverse incomes.

Secondary Study Area

The proposed zoning actions would only apply in the primary study area and would not affect lots beyond this area. The proposed zoning map and text amendment would align with the City's land use, zoning, and public policy objective to encourage denser development in areas served by public transit and facilitate the development of affordable housing. The proposed zoning changes would be consistent with other residential zoning in the secondary study, including the existing mapped R8 zoning district located directly to the west of the primary study area. The proposed R8 district would be a natural extension of the existing R8 district mapped to the west of Anthony and Clay Avenues. The Proposed Actions would not result in any significant impacts to zoning patterns in the area, nor have a significant impact on the extent of conformity within the current surrounding area.

Public Policy

As detailed below, the Proposed Actions would not result in any significant adverse public policy impacts to the primary or secondary study areas. The proposed zoning changes are expected to help foster diverse and livable neighborhoods in an underutilized area and ensure housing supply increase in an equitable way, building new affordable housing units.

Bathgate Industrial Business Zone (IBZ)

As the Bathgate IBZ falls outside of the primary study area, it would not be directly affected by the Proposed Actions, and the Proposed Actions would not alter or conflict with its policies. Although the Proposed Actions would change zoning in the primary study area to permit residential uses at a greater density than under existing conditions, the proposed R8 district would not conflict with the Bathgate IBZ.

Housing Our Neighbors: A Blueprint for Housing and Homelessness

The proposed zoning actions would be consistent with the *Housing Our Neighbors* blueprint plan and would result in a net increase of approximately 66 DUs, all of which would be homeownership cooperative units. Consistent with the *Our Neighbors* blueprint plan, the Proposed Actions would expand affordable homeownership opportunities and help communities build and maintain wealth. The proposed zoning changes would establish a MIH area, which would require residential development in the future with the Proposed Actions to include permanently affordable housing units. The affordable units provided at the Projected Development Site would help foster diverse and livable neighborhood, preserve affordability and quality of housing stock in the area. Therefore, the Proposed Actions would be supportive of this key public policy goal and further analysis is not warranted

ATTACHMENT D

SHADOWS

I. INTRODUCTION

This attachment assesses the potential for the Proposed Actions to result in incremental shadows long enough to reach any nearby publicly accessible open spaces or other sunlight-sensitive resources. According to the 2021 *CEQR Technical Manual*, an adverse shadows impact is considered to occur when an incremental shadow from a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource, or threatens the viability of vegetation or other resources. Pursuant to CEQR guidance, sunlight-sensitive resources of concern are those resources that depend on sunlight, or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Sunlight-sensitive resources can include publicly accessible open spaces, architectural resources, natural resources, community gardens, and Greenstreets. In general, shadows on city streets, sidewalks, buildings, or project-generated open spaces are not considered significant under CEQR. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are not considered significant under CEQR.

According to the *City Environmental Quality Review* (CEQR) *Technical Manual*, a shadows assessment is warranted if a proposed action(s) would result in structures (or additions to existing structures) of 50 feet in height or greater, or those that would be located adjacent to, or across the street from, a sunlight sensitive resource. The Proposed Actions would facilitate the development of a new building that would be greater than 50 feet in height on the Projected Development Site at 1640 Anthony Avenue (Block 2888, Lot 23). As such, a shadows analysis was prepared in accordance with 2021 *CEQR Technical Manual* guidance to determine the potential for the Proposed Actions to result in significant adverse shadows impacts on sunlight-sensitive resources.

II. METHODOLOGY

According to the *CEQR Technical Manual*, the longest shadow a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. For projects or actions resulting in structures less than 50 feet tall, a shadow assessment is generally not necessary, unless the site is adjacent to a park, historic resource, or important natural feature (if the feature that makes the structure significant depends on sunlight).

First, a preliminary screening assessment must be conducted to ascertain whether shadows resulting from an action or project could reach any sunlight-sensitive resource at any time of year. The *CEQR Technical Manual* defines sunlight-sensitive resources as those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. The following are considered sunlight-sensitive resources[1]:

- *Public open space* (e.g., parks, playgrounds, plazas, schoolyards, greenways, and landscaped medians with seating). Planted areas within unused portions or roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources. The use of vegetation in an open space establishes its sensitivity to shadows. This sensitivity is assessed for both (1) warm-weather dependent features, like wading pools and sandboxes, or vegetation that could be

[1] According to the *CEQR Technical Manual*, city streets, sidewalks, and private open spaces (such as private residential front and back yards, stoops, and vacant lots) are not considered sunlight-sensitive resources.

affected by loss of sunlight during the growing season (i.e., March through October); and (2) features, such as benches, that could be affected by a loss of winter sunlight. Uses that rely on sunlight include: passive use, such as sitting or sunning; active use, such as playfields or paved courts; and such activities as gardening, or children's wading pools and sprinklers. Vegetation requiring direct sunlight includes the tree canopy, flowering plants, and plots, particularly plots for food production in community gardens. The amount of sunlight typically considered the minimum that plantings and vegetation would need is six to eight hours of direct sunlight. However, certain plantings and vegetation can tolerate partial sun, with a reduced minimum requirement of four to six hours of direct sunlight. Examples of areas that can tolerate partial sun are established tree canopies, shrubs or perennials.

- *Features of historic architectural resources that depend on sunlight for their enjoyment by the public.* Only the sunlight-sensitive features of an architectural resource are considered in a shadows analysis. Sunlight-sensitive features include the following: design elements that are part of a recognized architectural style that depends on the contrast between light and dark (e.g., deep recesses or voids, such as open galleries, arcades, recessed balconies, deep window reveals, and prominent rustication); elaborate, highly carved ornamentation; stained glass windows; exterior building materials and color that depend on direct sunlight for visual character (e.g., the polychromy [multicolored] features found on Victorian Gothic Revival or Art Deco facades); historic landscapes, such as scenic landmarks, including vegetation recognized as an historic feature of the landscape; and structural features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as an historic landmark.

- *Natural resources where the introduction of shadows could alter the resource's condition or microclimate.* Such resources could include community gardens, surface water bodies, wetlands, or designated resources, such as coastal fish and wildlife habitats.

The preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius around the development site representing the longest shadow that could be cast. If there are sunlight-sensitive resources within the radius, the analysis proceeds to the second tier, which reduces the area that could be affected by action-generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the northern hemisphere. If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by new shadows by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day.

If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadow analysis is required to determine the extent and duration of the incremental shadow – or the additional, or new, shadow that a building or other built structure resulting from a proposed action would cast on a sunlight-sensitive resource during the year – resulting from the proposed project. Incremental shadows are determined by establishing a baseline condition (the No-Action condition) and comparing it to the future condition resulting from the Proposed Actions (i.e., the With-Action condition), thus illustrating the shadows cast by existing or future buildings and distinguishing the additional (incremental) shadows cast by the Proposed Actions. In accordance with the *CEQR Technical Manual*, shadows on sunlight-sensitive resources of concern were modeled for four representative days of the year. For the New York City area, the months of interest for an open space resource encompass the growing season (i.e., March through October) and one month between November and February representing a cold-weather month (usually December). Representative days for the growing season are generally the March 21 vernal equinox (or the September 21 autumnal

equinox, which is approximately the same), the June 21 summer solstice, and a spring or summer day halfway between the summer solstice and equinoxes, such as May 6 or August 6 (which are approximately the same). For the cold weather months, the December 21 winter solstice is included to demonstrate conditions when open space users rely most heavily on available sunlight warmth. As these months and days are representative of the full range of possible shadows, they are also used for assessing shadows on sunlight-sensitive resources.

The *CEQR Technical Manual* defines the temporal limits of a shadow analysis period to fall from an hour and a half after sunrise to an hour and a half before sunset.

The detailed analysis provides the data needed to assess the shadow impacts. The effects of incremental shadows on the sunlight-sensitive resources are described, and their degree of significance is considered. The results of the analysis and assessment are documented with graphics, a table of incremental shadow durations, and narrative text. As described in the *CEQR Technical Manual*, an incremental shadow is generally not considered significant when its duration is ten minutes or less at any time of year and the resource continues to receive substantial direct sunlight. A significant shadow impact generally occurs when an incremental shadow of ten minutes or longer falls on a sunlight-sensitive resource and results in one of the following:

- *Vegetation:* a substantial reduction in sunlight duration available to sunlight-sensitive features of the resource to less than the time of its minimum sunlight needs (when there would be sufficient sunlight in the future without the project) or a reduction in direct sunlight exposure where the sensitive feature of the resource is already subject to substandard sunlight (i.e., less than the minimum sunlight needs).

- *Historic and cultural resources:* a substantial reduction in sunlight available for the enjoyment or appreciation of the sunlight-sensitive features of an historic or cultural resource.

- *Open space utilization:* a substantial reduction in the usability of open space because of increased shadow, including information regarding anticipated new users and the open space's utilization rates throughout the affected times.

- *For any sunlight-sensitive feature of a resource:* complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

In general, a significant adverse shadow impact occurs when the incremental shadow added by a proposed action falls on a sunlight-sensitive resource and substantially reduces or eliminates completely direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

III. PRELIMINARY SCREENING

Tier 1 Screening Assessment

According to the *CEQR Technical Manual*, the longest shadow that a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. The maximum shadow radius for the Proposed Project was determined using the Proposed Project's building massing and maximum height. Based on the maximum height of 130-feet-tall, the maximum shadow radius was determined to be

approximately 559 feet in length. As shown in **Figure D-1**, there are two identified potentially sunlight-sensitive open spaces resources.

Tier 2 Screening Assessment

Due to the path of the sun across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given development site. In New York City, this area lies between -108 and +108 degrees from true north. The purpose of the Tier 2 screening is to determine whether the sunlight-sensitive resources identified in the Tier 1 screening are located within portions of the longest shadow study area that could receive incremental shadows from the Proposed Project.

Figure D-1 illustrates the results of the Tier 1 and Tier 2 screening assessments (i.e., the portion of the longest shadow study area lying within -108 degrees from the true north and +108 degrees from true north as measured from the southernmost portions of the Projected Development Site). As shown in **Figure D-1**, a portion of Claremont Park is located within the Tier 2 area (the area that cannot be shaded) and therefore would not be cast in any shadow from the Proposed Actions. Two sunlight-sensitive resources were identified as sunlight-sensitive resources that warranted further assessment (refer to **Table D-1** below).

TABLE D-1: Sunlight-Sensitive Resources Warranting Further Analysis Based on Tier 3 Screening

Map Number [1]	Sunlight-Sensitive Resources
1	Barry Plaza
2	Claremont Park

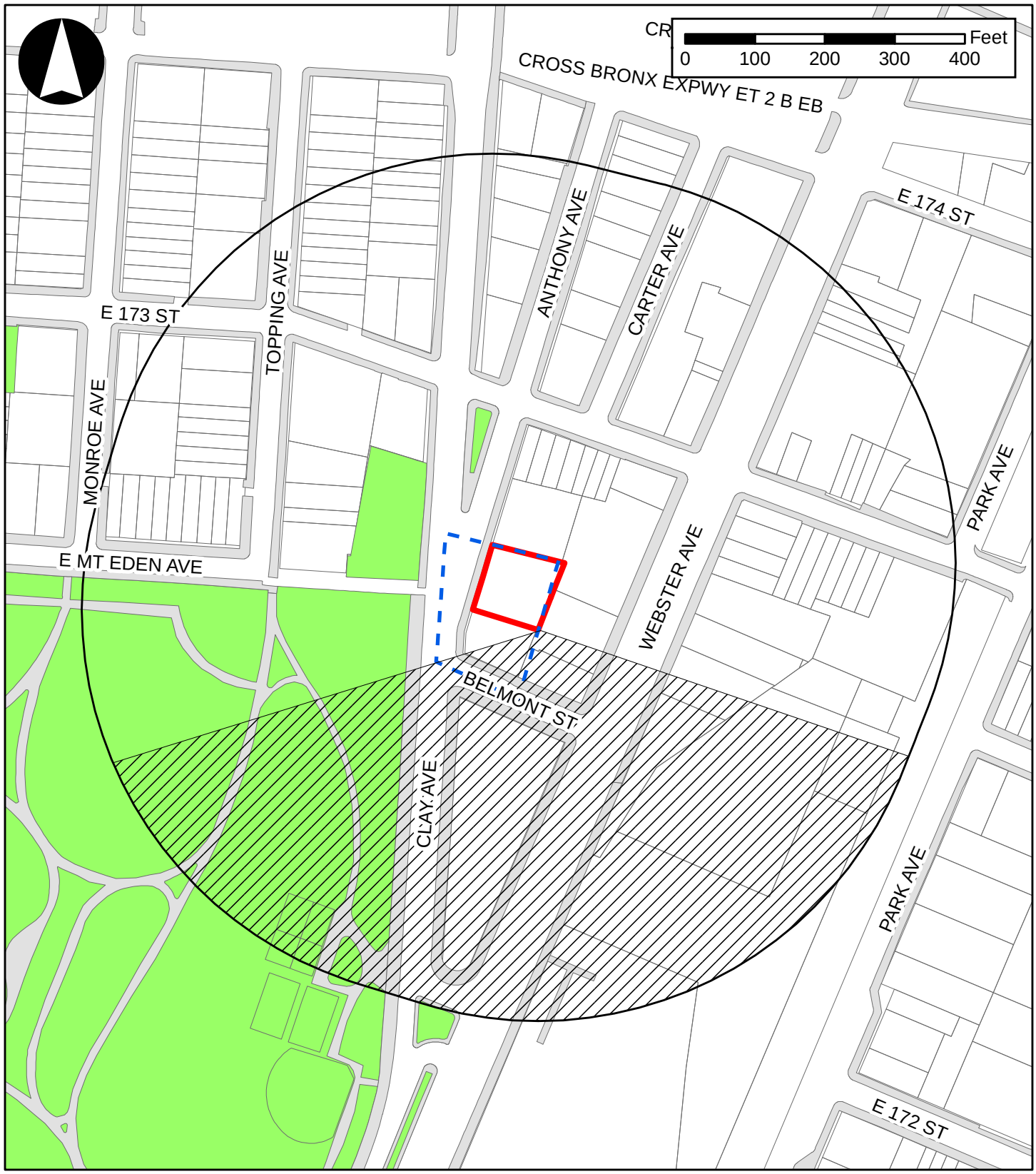
[1] Numbers keyed to **Figure D-1**.

Tier 3 Screening Assessment

According to the *CEQR Technical Manual*, a Tier 3 screening assessment should be performed to determine if, in the absence of intervening buildings, shadows resulting from a proposed action(s) could reach a sunlight-sensitive resource, thereby warranting a detailed shadow analysis. The Tier 3 screening assessment is used to determine if shadows resulting from a proposed action(s) can reach a sunlight-sensitive resource at any time between 1.5 hours after sunrise and 1.5 hours before sunset on representative analysis dates.

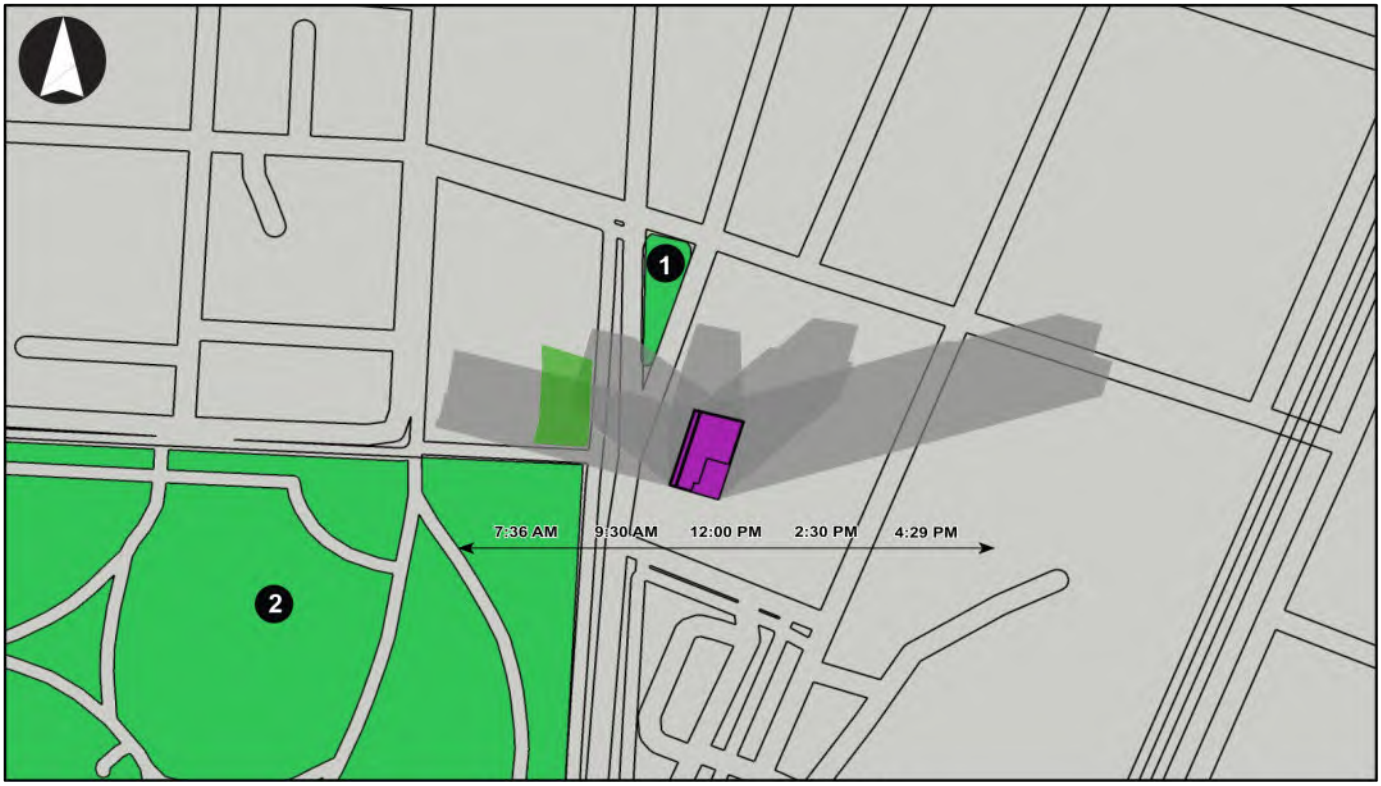
A Tier 3 assessment was performed using three-dimensional (3D) computer mapping software for the Proposed Project to calculate and display action-generated shadows on individual representative analysis dates. The model contained 3D representations of the elements in the base map used in the preceding assessments and a 3D model of the Proposed Project as a result of the Proposed Actions. At this stage of the assessment, surrounding buildings within the study area were not included in the model so that it may be determined whether action-generated shadows would reach any sunlight sensitive resources.

As shown in **Figures D-2a** and **Figure D-2b** and presented in **Table D-2**, the Tier 3 results determined that Barry Plaza and Claremont Park, could each receive incremental shadows from the Proposed Project, and therefore require a detailed shadows analysis.



Legend

- Rezoning Area
- Projected Development Site
- Tier I: Shadows Radius 559-feet
- Tier II: Area that Cannot be Shaded
- Sidewalks
- Sunlight Sensitive Resources (Open Space)



MARCH 21/SEPTEMBER 21



MAY 6/AUGUST 6

Proposed Project

Open Space
(keyed to Table D-2)

Incremental Shadow



JUNE 21



DECEMBER 21

Proposed Project

Open Space
(keyed to Table D-2)

Incremental Shadow

TABLE D-2: Sunlight-Sensitive Resources Warranting Further Analysis Based on Tier 3 Screening

No. [1]	Name	March 21/Sept. 21 7:36AM - 4:29PM	May 6/August 6 6:27AM - 5:18PM	June 21 5:57AM - 6:01PM	December 21 8:51AM - 2:53PM	Number of Analysis Days
1	Barry Plaza	**YES**	**YES**	**NO**	**YES**	**3**
2	Claremont Park	**YES**	**YES**	**YES**	**YES**	**4**

[1] Numbers keyed to sunlight-sensitive resources shown in **Figures D-2a and D-2b.**

IV. DETAILED ANALYSIS OF SHADOW IMPACTS

Resources Potentially Affected by Project-Generated Shadows

Barry Plaza

Barry Plaza is a 0.09-acres plaza bounded by Clay Avenue, Anthony Avenue, and East 173rd Street and located directly north of the Projected Development Site. The plaza contains vegetation and passive seating areas. As the plaza is directly north of the Projected Development Site, development as a result of the Proposed Actions could result in incremental shadows of this open space during the late morning and early afternoon hours on three of the four analysis days.

Claremont Park

Claremont Park is an approximately 38.5-acre park bounded by Teller Avenue to the west, Clay Avenue to the east, and East Mt Eden Avenue to the north. The open space includes active and passive recreational uses. A small portion of the park is located to the west of the Rezoning Area. This portion of the park, on the corner of East Mt Eden Avenue and Clay Avenue, slopes down in an eastern direction towards Clay Avenue. As the park is located west of the Rezoning Area, the Proposed Actions could result in incremental shadows on portions of this open space during the morning hours on all of the four analysis days.

Detailed Shadow Analysis

Per *CEQR Technical Manual* guidance, shadow analyses were performed for the two sunlight-sensitive resources identified above on four representative days of the year: March 21/September 21, the equinoxes; May 6, the midpoint between the summer solstice and the equinox (and equivalent to August 6); June 21, the summer solstice and the longest day of the year; and December 21, the winter solstice and shortest day of the year. These four representative days indicate the range of shadows over the course of the year. CEQR guidance defines the temporal limits of a shadow analysis period to fall from 1.5 hours after sunrise to 1.5 hours before sunset. As discussed above, the results of the shadows analysis show the incremental difference in shadow coverage between the No-Action and With-Action conditions (see **Table D-3**). Under No-Action conditions, the Projected Development Site would remain vacant as under existing conditions.

Figures D-3a through **Figure D-3i** show representative incremental shadows from the Proposed Project on the two sunlight sensitive resources on the corresponding representative analysis days indicated in **Table D-2**.

It should be noted that, per the *CEQR Technical Manual*, all times reported herein are Eastern Standard Time and do not reflect adjustments for daylight savings time that is in effect from mid-March to early November. As such, the times reported in this attachment for March 21/September 21, May 6/August 6, and June 21 need to have one hour added to reflect the Eastern Daylight-Saving Time.

TABLE D-3: Duration of Incremental Shadows on Sunlight-Sensitive Resources (Increment Compared to No-Action)

Resource	Analysis Day	March 21/Sept. 21 7:36 AM – 4:29 PM	May 6/August 6 6:27 AM – 5:18 PM	June 21 5:57 AM – 6:01 PM	December 21 8:51 AM – 2:53 PM
Barry Plaza	Shadow enter-exit time	8:31 – 11:11 AM	9:24 – 10:16 AM	-	8:51 AM – 12:06 PM
	Incremental shadow duration	2 hours 40 minutes	52 minutes	-	3 hours 15 minutes
Claremont Park	Shadow enter-exit time	7:36 – 10:01 AM	6:27 – 9:13 AM	5:57 – 8:54 AM	8:51 – 10:28 AM
	Incremental shadow duration	2 hours 25 minutes	2 hours 26 minutes	2 hours 57 minutes	1 hour 37 minutes

[A] All times are Eastern Standard Time.
[B] Table indicates the entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource.

March 21/September 21

The analysis period for March 21/September 21 is during the growing season and begins at 7:36 AM and continues until 4:29 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on Barry Plaza for 2 hours and 40 minutes in the morning and on Claremont Park for 2 hours and 25 minutes in the morning (refer to **Table D-3**).

As shown in **Figure D-3a** and **Figure D-3b**, incremental shadows would be case over a small portion of Claremont Park starting at 7:36 AM and would move eastward until exiting the park at approximately 10:01 AM. Incremental shadows from the Proposed Project would be cast on the northeastern most part of the park, that contains only vegetation and no recreational uses.

As shown in **Figure D-3b** and **Figure D-3c**, incremental shadows would be cast over a small portion of Barry Plaza starting at 8:31 AM and would move eastward until exiting the plaza at approximately 11:11 AM. Incremental shadows from the Proposed Project would be cast on the southern and central portion of the plaza, which contains a few plants and seating.

As shown in **Figure D-3a, Figure D-3b**, and **Figure D-3c**, the extent and duration of incremental shadows on Barry Plaza and Claremont Park would be minimal. Most of the open spaces would continue to receive direct sunlight throughout the day. Vegetation in Barry Plaza is not expected to be significantly threatened since the incremental shadows would be limited to the southern portion of the plaza and vegetation could continue to receive direct sunlight for at least six to eight hours, which, according to the *CEQR Technical Manual,* is the general minimum requirement for the survival of vegetation during the growing season. Additionally, the portion of Claremont Park in the incremental shadows would be confined to the park that only contains vegetation; there are no other uses in this part of the park. This portion of Claremont Park slopes down in an eastern direction. As this portion of the park represents approximately 0.3-acres of the 39.5-acre park and would continue to receive direct sunlight for at least six to eight hours, which, as described above, is the general minimum requirement for the survival of vegetation during the growing season.

May 6/August 6

On May 6/August 6, the analysis period begins at 6:27 AM and lasts until 5:18 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on Barry Plaza for 52

minutes in the morning and on Claremont Park for 2 hours and 26 minutes in the morning (refer to **Table D-3**).

As shown in **Figure D-3d** and **Figure D-3e**, incremental shadows would be cast over a small portion of Claremont Park starting at 6:27 AM and would move eastward until exiting the park at approximately 9:13 AM. Incremental shadows from the Proposed Project would be cast on the northeastern portion of the park, which contains a few plants. This portion of Claremont Park slopes down in an eastern direction.

As shown in **Figure D-3e**, incremental shadows would be cast over a small portion of Barry Plaza starting at 9:24 AM and would move eastward until exiting the plaza at approximately 10:16 AM. Incremental shadows from the Proposed Project would be cast on the southern portion of the plaza, which contains a few plants.

As shown in **Figure E-3d** and **Figure E-3e**, the extent and duration of incremental shadows on Claremont Park and Barry Plaza would be minimal. The majority of Claremont Park would continue to receive direct sunlight throughout the day. Of the 38.5-acres, incremental shadows would cast over a small, less than 0.5-acres of open space within the northeastern portion of the park. Vegetation in Claremont Park and Barry Plaza are not expected to be significantly threatened since the incremental shadows would be limited to the northeastern-most portion of the park, and southern portion of the plaza, respectively. Vegetation at both the park and plaza could continue to receive direct sunlight for at least six to eight hours, which, according to the *CEQR Technical Manual,* is the general minimum requirement for the survival of vegetation during the growing season.

June 21

On June 21 (the summer solstice), the analysis period begins at 5:57 AM and lasts until 6:01 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on Claremont Park for two hours and 57 minutes in the morning (refer to **Table D-3**).

As shown in **Figure D-3f** and **Figure D-3g**, incremental shadows would be cast over a small portion of Claremont Park starting at 5:57 AM and would move eastward until exiting the park at approximately 8:54 AM. Incremental shadows from the Projected Development Site would be cast on the northeastern portion of the park, which contains a few plants. As described above, this portion of Claremont Park slopes down in an eastern direction.

As shown in **Figure D-3f** and **Figure D-3g**, the extent and duration of incremental shadows on Claremont Park would be minimal. The majority of Claremont Park would continue to receive direct sunlight throughout the day. Of the 38.5-acres, incremental shadows would cast over a small, less than 0.5-acres of open space within the northeastern portion of the park. Vegetation in the park is not expected to be significantly threatened since the incremental shadows would be limited to the northeastern portion of the park as it moves and vegetation could continue to receive direct sunlight for at least six to eight hours, which, according to the *CEQR Technical Manual,* is the general minimum requirement for the survival of vegetation during the growing season.

December 21

December 21 (the winter solstice), which is considered outside of the growing season in New York City, is the day with the least amount of sunlight. The sun is low in the sky, creating shadows that are at their longest. The analysis period for this day begins at 8:51 AM and ends at 2:53 PM. On this analysis day,

development as a result of the Proposed Actions would cast incremental shadows on Barry Plaza for three hours and 15 minutes in the morning to early afternoon and on Claremont Park for 1 hour and 37 minutes in the morning (refer to **Table D-3**).

As shown in **Figure D-3h**, starting at 8:51 AM, incremental shadow would be cast over portions of Claremont Park and would move northeast throughout the morning until exiting the plaza at approximately 10:28 AM. Incremental shadows would move in a northeasterly direction beginning from the northern portion of the park, moving northeast until it exists. This portion of the park contains vegetation. However, the December 21 analysis day is not considered part of the growing season, and, thus, the viability of any existing vegetation within the plaza would not be threatened.

As shown in **Figure D-3h** and **Figure D-3i**, starting at 8:51 AM, incremental shadow would be cast over portions of Barry Plaza and would move northeast throughout the morning until exiting the plaza at approximately 12:06 PM in the early afternoon. Incremental shadows would move in a northeasterly direction beginning from the southern portion of the plaza, moving towards the middle until it exists in the northeast. This portion of the plaza contains vegetation and seating areas. However, the December 21 analysis day is not considered part of the growing season, and, thus, the viability of any existing vegetation within the plaza would not be threatened.

Assessment

The development as a result of the Proposed Actions would cast incremental shadows of limited coverage and duration on Claremont Park on all of the four analysis days and Barry Plaza on three of the four analysis days (refer to **Table D-2**). Incremental shadow durations would range from 52 minutes to three hours and 15 minutes over Barry Plaza and one hour and 37 minutes to two hours and 57 minutes over Claremont Park. Incremental shadow coverage would generally be limited to the southern and eastern portion of Barry Plaza, and the northeastern portion of Claremont Park, given their relative location northeast and east of the Projected Development Site, respectively.

As shadows are not static and move from west to east throughout the day, both open spaces' sunlight-sensitive features would continue to receive direct sunlight on these representative analysis days. Further, the majority of both resources' sunlight sensitive features would be unaffected by incremental shadows, and thus, both would largely contain areas unaffected by project-generated shadows at all times of the day. At no point would incremental shadows result in the complete loss of sunlight on either the park or the plaza. Both the park and the plaza would continue to receive direct sunlight throughout the majority of the representative days.

During the growing season, shadow coverage would not be cast on a single part of Barry Plaza or Claremont Park for an extended period of time. This would allow the plaza and park's sunlight-sensitive features to receive adequate direct sunlight throughout the day (at least six-to seven-hour minimum, with some plants able to tolerate less [four to six hours] specific in the *CEQR Technical Manual).* As discussed previously, no trees or vegetation in the park or plaza would receive less than six to eight hours of direct sunlight per day during the growing season.

On the December 21 analysis day, incremental shadows would occur for 1 hour and 37 minutes on Claremont Park and 3 hours and 15 minutes on Barry Plaza. Incremental shadow coverage would not affect the open spaces' vegetation, as the December 21 analysis day is outside of the growing season (i.e., March through October). The types of plant within the park and plaza are perennials. Within perennials there are two sub-categories – deciduous and evergreens. Deciduous plants and trees shed their leaves

and store their energy (sugars and starches) in the roots for the winter months; whereas evergreens continue photosynthesis in the winter, but at extremely low levels and do not require sunlight during the dormant stage. Therefore, incremental shadow would not threaten the vitality of any vegetation within the park or plaza during the December 21 analysis day.

Therefore, as the extent and duration of the incremental shadows would (1) not significantly reduce or completely eliminate direct sunlight exposure on any of the sunlight-sensitive resources found within this open space; and (2) would not significantly alter the public's use of the passive seating area, or threaten the viability of vegetation or other resources located within these open spaces, incremental shadows on Barry Plaza and Claremont Park, would not be considered a significant adverse impact, in accordance with *CEQR Technical Manual* methodology.

Incremental Shadows on March 21/September 21



7:36 am



8:00 am

Proposed Project

Area of Resource in Direct Sunlight

Area of Open Space in New Shadow

Area of Resource in Existing Shadow

Incremental Shadows on March 21/September 21



9:00 am



10:00 am

Proposed Project

Area of Resource in Direct Sunlight

Area of Open Space in New Shadow

Area of Resource in Existing Shadow

Incremental Shadows on March 21/September 21



11:00 am

Proposed Project

Area of Resource in Direct Sunlight

Area of Open Space in New Shadow

Area of Resource in Existing Shadow

Incremental Shadows on May 6/August 6



6:27 am



7:30 am

Proposed Project

Area of Resource in Direct Sunlight

Area of Open Space in New Shadow

Area of Resource in Existing Shadow

Incremental Shadows on May 6/August 6



8:30 am



9:30 am

Proposed Project

Area of Resource in Direct Sunlight

Area of Open Space in New Shadow

Area of Resource in Existing Shadow

Incremental Shadows on June 21



5:57 am



6:30 am

Proposed Project

Area of Resource in Direct Sunlight

Area of Open Space in New Shadow

Area of Resource in Existing Shadow

Incremental Shadows on June 21



7:30 am



8:30 am

Proposed Project

Area of Resource in Direct Sunlight

Area of Resource in Existing Shadow

Area of Open Space in New Shadow

Incremental Shadows on December 21



8:51 am



9:30 am

Proposed Project

Area of Resource in Direct Sunlight

Area of Open Space in New Shadow

Area of Resource in Existing Shadow

Incremental Shadows on December 21



10:30 am



11:30 am

Proposed Project

Area of Resource in Direct Sunlight

Area of Resource in Existing Shadow

Area of Open Space in New Shadow

ATTACHMENT E

URBAN DESIGN AND VISUAL RESOURCES

I. INTRODUCTION

This attachment considers the potential effects of the Proposed Actions and subsequent development on urban design and visual resources. As defined in the 2021 *City Environmental Quality Review* (*CEQR*) *Technical Manual*, urban design is the totality of elements that shape and affect a pedestrian's experience of public space. Elements such as streets, buildings, visual resources, open space, natural resources, wind, and sunlight play an important role in the pedestrian experience. In the future with the Proposed Actions, the Project Sponsor would construct a 13-story multiunit residential building at 1640 Anthony Avenue (Block 2888, Lot 23; "Projected Development Site") in the Claremont neighborhood of the Bronx Community District (CD) 4.

The Proposed Actions involve zoning changes that would increase the allowable bulk and density beyond what would be allowed as-of-right under the No-Action condition, and therefore, a preliminary assessment of urban design and visual resources is warranted. In accordance with *CEQR Technical Manual* guidance, the urban design and visual resources assessment focuses on the components of the Proposed Actions that may have the potential to alter the arrangement, appearance, and functionality of the built and natural environment that contributes to the pedestrian experience of public space (the With-Action Condition). As described in **Attachment A, "Project Description,"** the Proposed Actions would facilitate the construction of a single 13-story (130-feet tall) cooperative housing building ("Proposed Project") at the Projected Development Site. The Proposed Project is expected to be constructed and fully occupied by 2028. None of the other tax lots Area (Block 2888, Lot 21, p/o Lots 28, 50, and 58)[1] within the area to be rezoned are expected to be redeveloped or enlarged as a result of the Proposed Actions. As compared to the No-Action condition, the Proposed Project would introduce a net increase of 66 dwelling units (DUs).

III. METHODOLOGY

Pursuant to the *CEQR Technical Manual*, an assessment of urban design is appropriate when a proposed action(s) may have effects on one or more of the elements that contribute to the pedestrian experience of public space. The assessment focuses on the components of a proposed action(s) that may have the potential to alter the arrangement, appearance, and functionality of the built and natural environment.

As described in the *CEQR Technical Manual*, a preliminary urban design analysis is appropriate when there is potential for a pedestrian to observe from the street level a physical alteration beyond that allowed by existing zoning. A preliminary analysis provides a "snapshot" of the project, comparing existing and future conditions with and without the Proposed Actions. The following analysis examines each of the elements that play an important role in the pedestrian experience, including street hierarchy and streetscape (including the arrangement and orientation of streets); building scale, form and arrangement; and natural features, open space, and topography.

[1] The proposed rezoning area includes small sliver portions of adjacent Lots 28, 50, and 58, which would be up zoned as a result of the proposed zoning changes. Lot 21 is a long-standing institutional use that accommodates a pre-K or early childhood program. As discussed in Attachment A, "Project Description," none of these lots would be redeveloped as a result of the Proposed Actions.

Per criteria of Section 230 of the *CEQR Technical Manual,* a wind condition analysis is not warranted for the Proposed Actions. The Project Area[2] is in the central Bronx and is not located in a high wind location (such as along west and northwest-facing waterfronts), and the Proposed Actions would not result in the construction of multiple tall buildings that would have the potential to alter wind conditions.

Following *CEQR Technical Manual* guidance, the analysis is based on field visits, aerial views, photographs, and other graphic images of the proposed rezoning area and surrounding area. Zoning calculations, including floor area calculations, building heights and lot coverage information is also provided.

The following preliminary analysis also considers the effects of the Proposed Actions on the area's visual resources, which are generally considered important public view corridors, vistas, or natural or built features. Visual resources can include waterfront views, public parks, landmark structures or districts, or natural features, such as rivers or geologic formations.

Based on *CEQR Technical Manual* guidance, the study area for urban design is the area where the Proposed Actions may influence land use patterns , the built environment, and the pedestrian's experience in the public realm surrounding the Project Area. The urban design study area consists of both a primary study area (where urban design effects of the Proposed Actions are direct) and a secondary study area. For this assessment, the primary study area encompasses the Project Area, including the area to be rezoned and the identified development site. Consistent with the analysis of land use, zoning, and public policy, the secondary study area for urban design resources has been defined as being within approximately 400 feet of the Project Area (see **Figure E-1**).

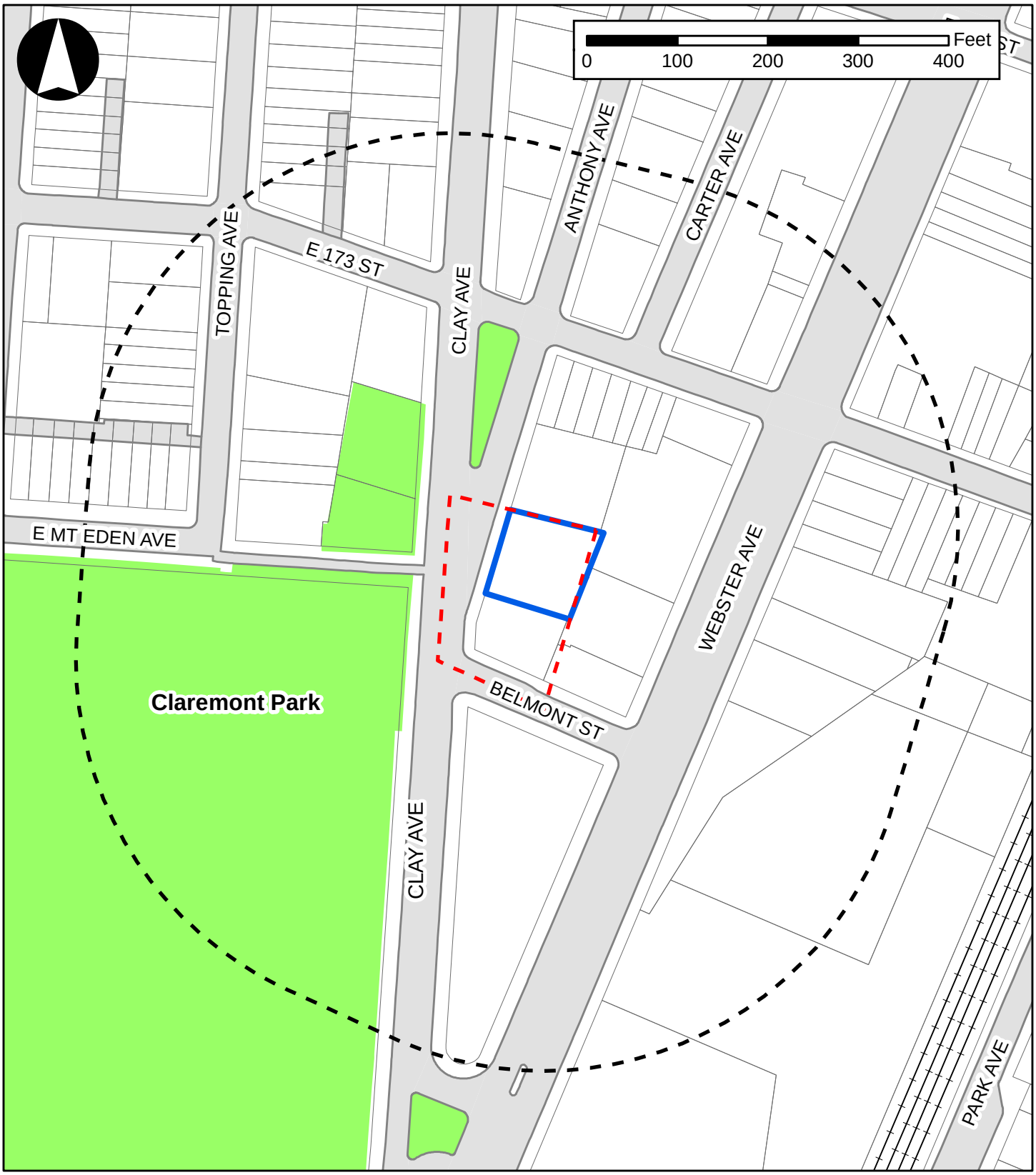
As stated in the *CEQR Technical Manual*, for visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified. While the land use study area may serve as the initial basis for analysis, in many cases where significant visual resources exist, it may be appropriate to look beyond the land use study area to encompass views outside of the area, as is often the case with waterfront sites or sites within or near historic districts. For this analysis, prominent visual resources (both within and outside of the urban design study area) that are visible from the primary and secondary study areas were identified. The primary view sheds of these visual resources that would be affected by construction of the RWCDS were the focus.

IV. PRELIMINARY ASSESSMENT

Existing Conditions

As noted above, **Figure E-1** shows both the primary (i.e., Project Area) and 400-foot secondary study areas. **Figure E-2** provides a photograph key for the approximate locations of where each of the photographs included in **Figure E-3a** to **Figure E-3d** had been taken.

[2] The Project Area comprises the directly affected area and includes the area to be rezoned as well as the Projected Development Site (including Lots 21, 23, as well as p/o Lots 28, 50, and 58 on Block 2888). Only small sliver portions of Lots 28, 50 and 58 would be up zoned as a result of the proposed zoning changes.



Legend

- Project Area (Primary Study Area)
- 400-foot Radius (Secondary Study Area)
- Open Space
- Projected Development Site
- Lots
- Metro North



Legend

- Primary Study Area
- Projected Development Site
- Secondary Study Area
- 1 → Photo Locations (keyed to Figures E-3a to E-3d)



1. View of Lot 23 from Clay Avenue and Anthony Avenue.



2. View of Lot 21 from Clay Avenue.



3. Looking towards Lot 23. Lot 28 is located to the left.



4. Looking towards Lots 50 and 58 from Webster Avenue.



5. Looking north where Clay Avenue (background) and Anthony Avenue (foreground) intersect.



6. Looking west along Belmont Street towards Clay Avenue.



7. Sidewalk on Anthony Avenue fronting the Projected Development Site.



8. View of sidewalk along Belmont Street.



9. Looking north along East 173rd Street between Clay and Anthony Avenues.



10. Looking southeast along Webster Avenue.



11. View of low-rise multi-family buildings on Topping Avenue.



12. View of single- and multi-family buildings on East 173rd Street.



13. View of Claremont Park from the corner of Clay Avenue and Belmot Street.



14. View of Barry Plaza from East 173rd Street.



15. Looking north from a path within Claremont Park.



16. Looking north on Webster Avenue towards I-95, also known as the Cross Bronx Expressway.

Urban Design

Primary Study Area

The primary study area includes the entirety of, or portions of five lots (Block 2888, Lots 21 and 23, , and p/o Lots 28, 50, and 58), which is located on the south-western portion of the block bounded by Webster Avenue to the east, East 173rd Street to the north, Belmont Street to the south, and Anthony Avenue to the west. Lots 23 and 28 front Anthony Avenue on the east, Lot 21 fronts Anthony Avenue to the west and Belmont Street to the south, and Lot 50 fronts on Webster Avenue, and Lot 58 has frontage on Webster Avenue and Belmont Street. Only small slivers of Lots 28, 50, and 58 are included in the primary study area (see **Figure E-1**).

Building Bulk, Use, Type, and Arrangement

Most of the primary study area is occupied by vacant land, which comprises the approximately 10,237-square foot (sf) Projected Development Site, consisting of Lot 23. Lot 23 is a roughly rectangular-shaped interior lot (10,237-sf) located at 1640 Anthony Avenue with 99 feet of frontage on Anthony Avenue and a depth of approximately 100 feet east from Anthony Avenue. It is currently vacant and overgrown with vegetation. As shown in **Figure E-3a, Photo #1**, the Projected Development Site is not publicly accessible and is fenced with a chain-link fence and accessible via a locked gate on the southern portion of the site.

Directly south of the Projected Development Site, Lot 21 is a slightly irregularly shaped corner lot (4,590-sf) bounded by Anthony Avenue to the west and Belmont Street to the south. It has approximately 62 feet of frontage along Anthony Avenue and approximately 86 feet of frontage along Belmont Street. As shown in **Figure E-3a, Photo #2**, it currently contains an approximately 13,800-gsf community facility (2.8 FAR) with two floors that accommodates a pre-school/early childcare program, which was constructed in 1973.

The sliver portions of the three remaining lots included in the primary study area are improved and support existing uses, including a walkup apartment building and automotive-related uses. Lot 28 is a roughly square-shaped lot at 1644 Anthony Avenue that totals 10,074-sf and has approximately 100 feet of frontage along Anthony Avenue. As shown in **Figure E-3a, Photo #3**, Lot 28 is developed with a five-story walkup residential building containing 36,375-gsf and 51 total DUs (3.6 FAR) constructed in 1924 but altered in 2018. Only a small portion of the southern part of the lot is located within the primary study area.

Lots 50 and 58 are roughly rectangular-shaped lots that total 9,087-sf and 4,317-sf, respectively. Lot 50 at 1645 Webster Avenue has approximately 90 feet of frontage along Webster Avenue and Lot 58 at 1639 Webster Avenue has approximately 45 feet of frontage along Webster Avenue and 97 feet of frontage along Belmont Street. As shown in **Figure E-3a, Photo #4**, they are both developed with single-story commercial buildings occupied by an autobody repair shop (0.9 FAR) and auto parts shop (1.0 FAR), respectively. As discussed above, only small portions of the lots are located within the primary study area.

Block Form, Street Pattern, and Street Hierarchy

Anthony Avenue is a one-way southbound local street, running from the Cross Bronx Expressway south where it merges with Clay Avenue in front of the primary study area and continues south as Clay Avenue.

Anthony Avenue is considered by zoning to be a "narrow street" and Clay Avenue is considered by zoning to be a "wide street."[3] As shown in **Figure E-3b, Photo #5**, the two streets merge in front of the primary study area to form a wide street from Barry Plaza to Belmont Street. Belmont Street is a two-way street that connects Clay Avenue and Webster Avenue. Belmont Street is considered by zoning to be a "narrow street." As shown in **Figure E-3b, Photo #6**, it slopes down from Clay Avenue towards Webster Avenue and contains parking on either side of the street.

Streetscape Elements

Streetscape elements along the primary study area's street frontage include several street trees, parking signage, streetlamps, and fire hydrants. Anthony Avenue, which is the Project Area's western frontage, is approximately 15 feet wide. Belmont Street, which is the Project Area's southern frontage, is approximately 10 feet wide (refer to **Figure E-3b, Photos #7 and #8**).

Topography, Natural Features and Open Space

The topography of the primary study area has a gentle slope that slopes down from west to east. There are no natural features or open spaces within the primary study area. Although New York City Department of City Planning (DCP) categorizes the land use for the lot that comprises the Projected Development Site as "Open Space and Outdoors Recreation," this is inaccurate, as the lot is vacant, unimproved, enclosed by fencing and inaccessible to the public.

Secondary Study Area

As discussed above, the secondary study area has been defined as the area within an approximate 400-foot radius of the primary study area. As shown in **Figure E-1**, it is generally bound by the mid block between East 173rd Street and East 174th Street to the north, midblock between Topping and Monroe Avenues to the west, the intersection of Clay Avenue and Webster Avenue to the south, and midblock between Webster Avenue and Park Avenue/the Metro North rail line to the east.

Building Bulk, Use, Type, and Arrangement

As detailed in Attachment C, "Land Use, Zoning, and Public Policy,", the secondary study area is largely residential. Residential uses include attached and detached low-rise two- and three-story single- to two-family homes, as well as taller, higher-density four- to six-story multifamily walkup and elevator residential buildings. Most residential uses are concentrated in the northwestern portion of the secondary study area, as well as along East 173rd Street.

Single- and two-family homes are largely located along Topping Avenue with multi-family buildings along Anthony Avenue, Clay Avenue, Topping Avenue, and few on East 173rd Street east of Webster Avenue. Mixed-use residential and commercial buildings are generally located along East 173rd Street and range in heights of four- to five-stories (**Figure E-3c, Photo #9**).

[3] Per the New York City Zoning Resolution, a "narrow street" is a street that is less than 75 feet wide and a "wide street" is a street that is 75 feet or more in width.

The northeastern portion of Claremont Park occupies the southeastern portion of the study area. Commercial buildings are located along Webster Avenue and range in one- to two-stories. Transportation/utility uses and industrial uses are generally concentrated in the northern and eastern portions of the secondary study area along the Webster Avenue corridor as well as Carter Avenue and Anthony Avenue to the north of East 173rd Street.

As shown in **Figure E-4**, buildings within the study area generally contain fewer than six stories. Additionally, the majority of lots within the secondary study area have FARs of less than 3.0. As shown in **Figure E-5**, buildings with greater than 3.0 FAR are located primarily northwest of the primary study area. Lower-density buildings with two or fewer stories are primarily located areas east of Anthony Avenue along the Webster Avenue corridor. Higher-density, multifamily residential apartment buildings greater than two stories in height are located west of Anthony Avenue. Buildings in height greater than six stories are located outside the secondary study area, including multifamily elevator apartment buildings at 1771 Monroe Avenue (Block 2797, Lot 39), which is an 11-stories, 1685 Monroe Avenue (Block 2792, Lot 51), which is eight-stories, and 1660 Morris Avenue (Block 2794, Lot 9) and 1699 Topping Avenue (Block 2791, Lot 50), which are both seven-stories. Webster Avenue is an active corridor that features low-rise transportation and industrial uses, like auto shops and warehouses, and prominent building signage (**Figure E-3c, Photo #10**). Low- and mid-rise residential brick-framed multi-family homes are generally located west of Anthony Avenue and northwest of the primary study area (**Figure E-3c, Photos #11 and #12**). Many have patios, porches, stoops, or fencing.

Block Form, Street Pattern, and Street Hierarchy

Streets in the secondary study area generally create a grid pattern and form rectangular-shaped blocks, except for Clay Avenue and Anthony Avenue, which intersect directly west of the primary study area. This block form has generally resulted in regular rectangular-shaped lots that vary in size and width. Most streets are considered “narrow streets” under the Zoning Resolution, except for Clay and Webster Avenue, which are considered “wide streets”.

Webster Avenue, Belmont Street, and East 173rd Street are two-way streets. Clay Avenue and Anthony Avenue north of East 173rd are two-way streets, but one-way southbound to the south of East 173rd Street. Carter Avenue and Topping Avenue are one-way northbound streets. There are no designated bike lines in the secondary study area. Webster Avenue has a dedicated bus lane and is also a major commercial corridor for the neighborhood as well as a designated local truck route. All streets generally have on-street parking.

Streetscape Elements

Concrete sidewalks flank all streets in the secondary study area and are generally in good condition. All sidewalks in the secondary study accommodate street lights, street signs, fire hydrants, mail boxes, and street trees. Sidewalks adjacent to Claremont Park on Clay Avenue and East Mt Eden Avenue are slightly wider than other sidewalks in the secondary study area.

Topography, Natural Features and Open Space

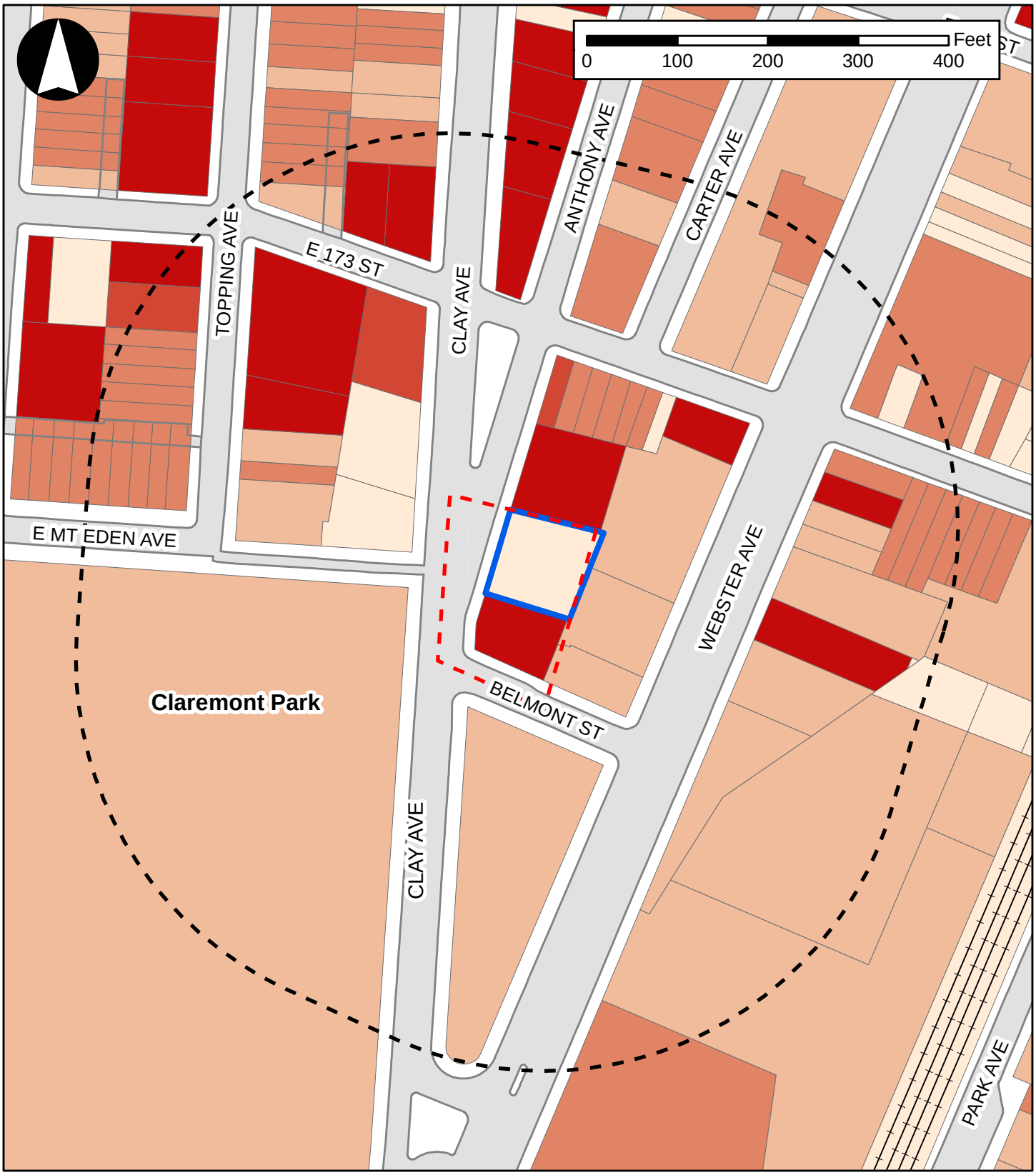


Legend

- Project Area
- Projected Development Site
- 400-foot Radius

Number of Floors

- 0
- 1 - 2
- 3 - 4
- 5 - 6
- Greater than 6



Legend

- Project Area
- Projected Development Site
- 400-foot Radius

Built FAR

- 0.0
- 0.01 - 1.0
- 1.01 - 2.0
- 2.01 - 3.0
- Greater thatn 3.01

The topography of the secondary study area varies and is generally hilly with various elevations throughout. In the western portion of the secondary study area, Claremont Park slopes down from Topping Avenue to Clay Avenue. The streetscape continues to slope down the further east towards Webster Avenue. Within the secondary study area, Topping Avenue, Anthony Avenue, Clay Avenue, Carter Avenue, and Webster Avenue are generally flat whereas East Mt Eden Avenue, East 173rd Street, and Belmont Street are sloped.

The secondary study area includes two public open spaces. The northeastern portion of the expansive 38.5-acre Claremont Park is located directly west of the primary study area and comprises the southwestern portion of the secondary study area. It features passive and active open space uses, including athletic fields, a swimming pool, and barbecuing areas. Additionally, Barry Plaza, a small triangular public plaza, is located entirely within the secondary study area to the northwest of the primary study area. Bounded by Anthony Avenue, Clay Avenue, and East 173rd Street, the plaza offers passive recreation with benches and seating areas.

Visual Resources

Primary Study Area

There are no significant natural or built features, including views of the waterfront, designated landmark structures or districts, or otherwise distinctive buildings or groups of buildings in the primary study area. However, visual resources can be seen from the streets bounding the primary study area, including Claremont Park and Barry Plaza, two publicly accessible open spaces (see **Figure E-3d, Photos #13 and #14)**. The visual resources that can be viewed are limited and generally partially obstructed by existing buildings, fences, trees, and other streetscape elements. The northeastern portion of Claremont Park can be seen from Anthony Avenue and Belmont Street. However, since the park slopes down in a west-east direction, views of the park are limited to vegetation. Additionally, Barry Plaza can be viewed from the Anthony Avenue frontage.

Secondary Study Area

As discussed above and shown in **Figure E-1**, the secondary study area includes a portion of Claremont Park and Barry Plaza, which are within the boundaries of the secondary study area. Barry Plaza is an approximately 0.09-acre triangular public plaza located between Anthony Avenue, Clay Avenue, and East 173rd Street. It is located directly north of the primary study area and entirely within the secondary study area. The public plaza contains vegetation and plantings within its interior with seating areas along its periphery adjacent to the public sidewalk. Claremont Park is an expansive approximately 38.5-acre triangular-shaped park located in the Claremont neighborhood of the Bronx that includes a range of amenities from ball fields and courts, playgrounds, an outdoor pool, and rolling hills. Of the 38.5-acres, approximately 3.2-acres on the northeastern portion of the park bounded by East Mt Eden Avenue to the north and Clay Avenue to the east are located within the secondary study area. As shown in **Figure E-3d, Photo #15**, this portion of the park contains vegetation, open areas, walking paths, and seating areas. This portion of the park is elevated to a higher grade than Clay Avenue. As such, it slopes down towards Clay Avenue, East Mt Eden Avenue is connected to Clay Avenue via a staircase. Further south, the park is level with Clay Avenue and contains basketball courts, handball courts, and ball fields. This portion of Claremont Park is visible from the blocks within the secondary study area.

In addition, views from the secondary study area looking north of Webster Avenue include the elevated Interstate 95, also known as the Cross Bronx Expressway, which has been determined eligible for listing on the State and National Register of Historic Places (S/NR-eligible). At Webster Avenue, the Cross Bronx Expressway is an elevated limited-access six-lane interstate located north of the secondary study area and extends perpendicular to Webster Avenue creating an overpass. As shown in **Figure E-3d, Photo #16**, views of the elevated highway are most easily seen from Webster Avenue.

The Future without the Proposed Actions (No-Action Condition)

In the absence of the Proposed Actions, the existing R7-1 zoning would remain in the primary study area, and all existing uses are expected to would remain. The Applicant/Project Sponsor would not develop the Projected Development Site. The Projected Development Site would remain vacant, unimproved, and not support any land uses. In addition, and as described in **Attachment C, "Land Use, Zoning, and Public Policy,"** there are no known No-Action developments anticipated by the 2028 analysis year in the secondary study area.

No significant changes to the area's urban design character are anticipated. Additionally, no changes to the area's views to adjacent parks and open spaces are anticipated. Any physical changes to buildings in the primary and secondary study areas would comply with designated zoning regulations. Pedestrian activity within the study areas under the No-Action condition would not experience dramatic changes compared to existing conditions.

The Future with the Proposed Actions (With-Action Condition)

This section describes the effects of the Proposed Actions and subsequent development on the urban design and visual resources conditions in the primary and secondary study areas by 2028 and evaluates the potential for the Proposed Actions to result in significant adverse impacts.

In the future with the Proposed Actions, the proposed zoning map and zoning text amendment would be approved and implemented. As such, the proposed rezoning area would be mapped with an R8 zoning district and would be designated as an MIH Area.

Under With-Action conditions, the proposed R8 district would continue to allow residential and community facility use as-of-right. The proposed zoning changes would allow for greater residential and community facility building area and bulk currently permitted by the existing R7-1 zoning. Residential uses would be permitted up to a maximum 8.64[4], and community facility use up to 6.5 FAR, as compared to a maximum residential FAR of 5.01[5] and a maximum community facility FAR of 4.8 under R7-1 zoning. Under the Proposed Actions, the Projected Development Site would introduce a 100 percent affordable development containing 66 DUs. The With-Action building would include approximately 82,758.9-gsf with an FAR of 6.97, which is less than the maximum permitted FAR in an R8 zoning district under the proposed zoning map and text amendment. The With-Action development would be built to the street line with its residential lobby along Anthony Avenue. No accessory parking would be provided. The building would rise

[4] Outside of Mandatory Inclusionary Housing areas, for zoning lots or portions therefore, located within 100 feet of a wide street, containing Universal Affordability Preference (UAP) developments or qualifying senior housing are permitted up to 8.64 FAR. Qualifying affordable housing is permitted up to 7.2 in R8.

[5] For zoning lots, or portions therefore, located within 100 feet of a wide street.

up to an initial base height of 95 feet (9-stories) before setting back 15 feet. Above the ninth story, the building would rise to 130 feet tall and include a total of 13-stories above grade.

Urban Design

Primary Study Area (Project Area)

New development facilitated by the Proposed Actions would be built on an existing block, and would not entail any changes to topography, street patterns and hierarchy, block shapes or natural features in the primary study area. The Proposed Actions would facilitate a change in the visual character of the Projected Development Site and would introduce a new residential building with massing and scale that are not permitted under the current zoning. The With-Action development would replace vacant land with a residential building that would be consistent with the existing largely residential character of the surrounding area. The proposed development would be taller and have a greater density as compared to existing residential uses in the surrounding area.

In accordance with the proposed R8 zoning district, the Projected Development Site would be built to the street line along the Anthony Avenue frontage (approximately 100 feet) forming a strong street wall presence where a vacant lot currently exists. The With-Action building would have a maximum height of approximately 130 feet with a base height of 95 feet, introducing new height to the existing scale of Anthony Avenue. Most of the ground floor and cellar level would be occupied by residential amenities and residential dwelling units would occupy the floors above.

The Proposed Actions would further enhance the pedestrian environment and enliven the streetscape with the introduction of residents. As shown in **Figure E-6**, the proposed actions would not drastically alter the urban design character of the primary study area.

With a maximum building height of 130 feet and a building square footage of 82,758.9-gsf, the height and bulk of the With-Action building would be taller and larger than the buildings surrounding the primary study area, which do not exceed two stories (see **Figure E-4** and **Figure E-5**). The increased scale, both in terms of bulk and height, would be a notable change from the pedestrian's perspective to the appearance and character of the development site compared to the No-Action condition.

Compared to the future without the proposed actions, in the future with the proposed actions, the visual appearance of the pedestrian experience of the projected development would change as a 13-story building would replace a vacant lot. However, this change would not meet the 2021 *CEQR Technical Manual* threshold for a significant adverse urban design impact in that it would not alter the arrangement, appearance, or functionality of the Projected Development Site such that the alteration would negatively affect a pedestrian's experience of the area.

Secondary Study Area

As the Proposed Actions are site-specific, they would not result in any changes in the urban design in the secondary study area. New development facilitated by the Proposed Actions would be limited to a single Projected Development Site within the primary study area. The Proposed Actions would not alter any street patterns, street hierarchies, block forms, building uses, and bulk regulations in the secondary study area. The proposed R8 zoning district would extend an existing R8 district mapped on the west side of

Figure E-6
Proposed Development



VIEW FROM SOUTHWEST



VIEW FROM SOUTHEAST

* For illustrative purposes only

Source: Robert AM Stern Architects

Clay Avenue between East 173rd Street and East Mount Eden Avenue directly east to include an approximately 14,688 sf of Block 2888, which would increase the allowable density from a maximum residential FAR of 5.01 to 8.64[6]. The proposed development would be in keeping with the surrounding residential character and varied density, form and urban design context. While the With-Action building would represent a departure from the urban design character of the secondary study area in terms of height and bulk, it would be consistent with study area buildings' land uses and building placement and orientation along the property line. The Applicant/Project Sponsor believes that the Proposed Project would reinforce the existing development pattern with the study area and introduce affordable housing.

The proposed zoning changes are intended to facilitate development that would be appropriate for a transit accessible area one block west of a major thoroughfare. Additionally, the Proposed Actions would facilitate the construction of new a building that would be in keeping with and reinforcing the largely residential character of Claremont neighborhood. The Proposed Project would increase in density to provide mixed-income homeownership housing units. While the Proposed Actions would permit increased level of density that is higher than other buildings in the surrounding area, the newly permitted density would be located where two streets merge. The building would also replace a vacant lot, which is expected to enhance the pedestrian realm by activating the streetscape and making the surrounding area more inviting to pedestrians.

The Proposed Project would introduce a strong streetwall presence along Anthony Avenue that would be consistent with surrounding development. With a maximum building height of 130 feet, the upper floors of the proposed building would be visible from surrounding streets. As described previously, the surrounding area supports a mix of building types, scales and heights, including low-rise two- to three-story residential buildings, single-story commercial buildings, and four- to six-story multifamily apartment buildings. While the With-Action development would be taller than the existing structures in the secondary study area, the building is located where both Anthony and Clay Avenues merge, and one block west of Webster Avenue, a busy corridor. Therefore, the scale of future development would be appropriate for the scale of the streets adjacent to the development site and study areas. As such, the Proposed Actions are not expected to result in any significant adverse impacts to urban design in the study area surrounding the Project Area, nor would they result in significant adverse impacts to the experience of the pedestrian.

Visual Resources

As discussed above, the primary study area does not contain any visual resources and this would not change in the future with the Proposed Actions. The Proposed Actions would facilitate construction of a 13-story (130 feet tall) residential building on a vacant tax lot. As the Proposed Project would be constructed on an existing lot, no view corridors of significant visual resources would be obstructed, and the project would not result in encroachment of any existing visual corridors along public streets. Under the With-Action condition, views of Barry Plaza and Claremont Park would not change. The new development would occur within an existing block.

The new building on the Projected Development Site is expected to further define view corridors in the secondary study area by replacing a vacant lot with a new residential development that would be

[6] Outside of Mandatory Inclusionary Housing areas, for zoning lots or portions therefore, located within 100 feet of a wide street, containing Universal Affordability Preference (UAP) developments or qualifying senior housing are permitted up to 8.64 FAR. Qualifying affordable housing is permitted up to 7.2 in R8.

constructed along the street line. No changes to visual resources are expected as a result of the Proposed Actions. There are no views to the waterfront, and view corridors would be maintained.

In summary, the Proposed Actions would not change urban design features such that the context of natural or built features would be adversely altered, nor would they partially or fully block any significant public views to a visual resource. Therefore, the Proposed Actions would not result in significant adverse impacts to study area visual resources.

ATTACHMENT F

HAZARDOUS MATERIALS

I. INTRODUCTION

As defined in the 2021 *CEQR Technical Manual*, hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semivolatile organic compounds (VOCs and SVOCs), methane, polychlorinated biphenyls (PCBs) and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: (a) hazardous materials exist on a site, and (b) an action would increase pathways to their exposure; or (c) an action would introduce new activities or processes using hazardous materials.

This attachment addresses the potential for the presence of hazardous materials resulting from previous and existing uses at the development site and in the surrounding area and potential risks related to a proposed project with respect to any such hazardous materials to determine whether the project may increase the exposure of people or the environment to hazardous materials. As described in **Attachment A, "Project Description,"** the Applicant is seeking a zoning map amendment and zoning text amendment, as well as disposition of real property, Urban Development Action Area (UDAA) designation, and Urban Development Action Area Project (UDAAP) approval. In addition, the Project Sponsor is seeking public financing approvals. The Proposed Actions would facilitate the development of a new 13-story (130-feet tall) approximately 82,759-gross square foot (gsf) building, containing 66 affordable residential cooperative dwelling units (DUs) (the "Proposed Project") at 1640 Anthony Avenue (Bronx Block 2888, Lot 23; the "Projected Development Site") in the Claremont neighborhood of the Bronx Community District (CD) 4. As the Proposed Actions would facilitate new in-ground disturbance and site excavation on the Projected Development Site that would introduce affordable housing, the potential for hazardous materials was evaluated for the Proposed Actions.

II. METHODOLOGY

The hazardous materials assessment begins with a Phase I Environmental Site Assessment (ESA), which is a qualitative evaluation of the environmental conditions present at the site, based on a review of available information site observations, and interviews. Pursuant to the 2021 *CEQR Technical Manual*, the Phase I ESA is conducted in accordance with the standards established by the current ASTM Phase I ESA Standard and includes research, evaluation of readily available historical information and selected environmental databases and electronic records, as well as field observations to determine whether the site may contain contamination from either past or present activities on the site or as a result of activities on adjacent or nearby properties. If a potential Recognized Environmental Condition (REC) is identified during this assessment, then subsurface investigations are usually conducted as part of a Phase II ESA to confirm the presence and extent of the contamination.

The purpose of a Phase I ESA is to determine whether any type of environmental hazard exists within or adjacent to the site. Environmental hazards may include, but are not limited to, hazardous/toxic wastes or raw chemicals stored, dumped, or spilled on the site, underground and above ground storage of petroleum or hazardous materials; asbestos within the building materials/structures; and identification

of potential off-site sources of hazardous waste contamination, such as industrial facilities adjacent to the subject property.

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release, or a material threat of a release into structures on the property or into the ground, groundwater or surface waters of the property. De minimis RECs are those that do not present a threat to health or the environment and would not be the subject of an enforcement action by a government agency. All RECs, excluding de minimis RECs, are considered in a Phase I ESA.

As noted above, if a potential REC is identified during the Phase I ESA, then building and subsurface investigations are usually conducted as part of a Phase II ESA to confirm the presence and extent of the contamination. Prior to conducting Phase II ESA, a Phase II Investigation Work Plan should be prepared that details the proposed scope of work for soil, groundwater, and/or soil gas evaluation. The Work Plan should include three major elements: (1) a plan for site characterization that addresses the media to be sampled, types of sampling and rationale for the approach, along with the investigative, sampling, and laboratory analytical methods to be used; (2) a Health and Safety Plan (HASP) for personnel undertaking the work; and (3) a quality assurance and quality control plan for the acquisition, handing, and analysis of samples collected. The Work Plan and HASP should be submitted to the New York City Department of Environmental Protection (DEP) for review and approval.

III. Summary of Phase I Environmental Site Assessment (ESA)

A Phase I Environmental Site Assessment (ESA) was prepared for the Projected Development Site at 1640 Anthony Avenue to determine whether hazardous materials exist on the site. The Phase I ESA (see **Appendix II** for the executive summary of the Phase I ESA) was prepared by ALC Environmental in September 2022, in conformance with the guidelines described in ASTM International's Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process – E1527-13. The Phase I ESA consisted of visual observations, a review of historical information, environmental databases, information provided by the applicant, and interviews with current site representatives.

According to the Phase I ESA, the Projected Development Site comprises approximately 0.229-acres and is vacant with vegetation. Based on a visual inspection, review of historical records, and interviews with individuals knowledgeable about the present and past uses, the Phase I ESA identified Recognized Environmental Conditions (RECs)[1] associated with the site. It does not identify Controlled Recognized Environmental Conditions (CRECs), historical recognized environmental conditions (HREC), or de minimis conditions. According to historical sources reviewed, the site was formerly occupied by two five-story residential buildings constructed in 1910 but demolished in 1979 where it has remained vacant since.

Based on a review of historical records, specifically the Fire Insurance (Sanborn) maps and city directories, the Phase I ESA determined that the historical uses of adjacent properties are considered a REC. These former uses of environmental significance included a metal works facility that operated at the adjoining eastern property at 164-165 Webster Avenue in 1950, automotive repair shops at 1645-1651 Webster Avenue as early as 1950, and a commercial garage at 1665 Webster Avenue between 1927 and 1950.

[1] A recognized environmental condition (REC) is defined as the presence or likely presence of any hazardous substances or petroleum produces in, on, or at a property 1) due to a release of any hazardous substances or petroleum products; 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment.

According to the Phase I, these activities have the potential to generate hazardous wastes in the form of spent oils and solvents and spent auto fluids, and wastewater contaminated with metals given lack of regulation prior to 1970.

Based on the historical and automotive repair/maintenance uses of the adjacent properties, the Phase I ESA recommended that subsurface investigation is warranted for the Projected Development Site. The Phase I ESA as well as Phase II Investigative Work Plan and HASP, prepared by ALC Environmental in November 2022, were submitted to DEP for review and approval.

IV. PHASE II INVESTIGATIVE WORK PLAN

As noted previously, ALC Environmental prepared a Phase II Investigative Work Plan and Health and Safety Plan (HASP) that detailed the scope and protocols of subsurface testing for the Projected Development Site (see **Appendix III**). The September 2023 Work Plan proposes to advance a total of six soil vapor sampling points (SV-1 through SV-6) at the site, to a depth of approximately 12 feet below grade surface (bgs) with one collected at four to five feet bgs (SV-6). Two soil vapor sampling points (SV-1 and SV-2) will be advanced along the eastern border of the Projected Development Site, and two other soil vapor sampling points (SV-4 and SV-5) will be advanced in the western portion of the lot. One additional soil vapor sampling point would be advanced in the approximate center of the site (SV-3) with a sixth soil vapor sampling point (SV-6) advanced at a depth of approximately four to five feet near SV-2. The soil vapor samples will be collected and analyzed for VOCs by United States Environmental Protection Agency (EPA) Method TO-15. The sample results will be compared to the NYSDOH Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006) guidelines. A determination of the institution of engineering controls will be based on the NYSDOH May 2017 decision matrices.

The Work Plan also proposes to advance a total of five soil borings (SB-1 through SB-5) at the site, to a depth of approximately 14 ft bgs. Two soil borings (SB-1 and SB-2) will be advanced along the eastern border of the Projected Development Site, and two other soil borings (SB-4 and SB-5) will be advanced in the western portion of the lot. One additional soil boring would be advanced in the approximate center of the site (SB-3). Two soil samples will be collected from each of the four soil borings: one surface soil sample (from the 0 to 2-foot interval bgs) and a subsurface soil sample (from the 2-foot interval beneath the maximum excavation depth). Three temporary groundwater monitoring wells will be installed at the site within three selected soil borings (TW-1 to TW-3). Soil and groundwater samples will be analyzed for VOCs by EPA Method 8260, SVOCs by EPA Method 8270, pesticides by EPA Method 8081, PCBs by EPA Method 8082, and Target Analyte List metals by EPA Method 6010 and 7471 (filtered and unfiltered for groundwater samples). The HASP addresses worker and community health and safety during remedial investigation activities.

In a letter dated September 2023, (see **Appendix I**), DEP finds the Phase II Work Plan and HASP for the proposed investigation acceptable. Upon completion of the investigation activities, the Applicant should submit a detailed Phase II report for DEP review and approval. The report should include, at a minimum, an executive summary, narrative of the field activities, laboratory data and conclusions, comparison of soil, groundwater, and soil vapor analytical results (i.e., New York State Department of Environmental Conservation (NYSDEC) 6 NYCRR Part 375, NYSDEC Water Quality Regulations, and the New York State Department of Health's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York), updated site plans depicting sample locations, boring logs, and remedial recommendations, if warranted.

V. PHASE II INVESTIGATION REPORT

ALC Environmental prepared a Phase II Investigation Report dated May 2024 for the Projected Development Site in accordance with the DEP-approved Phase II Work Plan and HASP. The soil analytical results of the subsurface investigation revealed that VOCs were either non-detected or below their New York State Department of Environmental Conservation (NYSDEC) 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs). Several SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene), several pesticides (dieldrin, 4,4'-DDD, 4,4'-DDE, and 4,4'-DDT), total PCBs, and several metals (arsenic, barium, cadmium, copper, lead, zinc, and mercury) were detected above their NYSDEC 6 NYCRR Part 375 Unrestricted Use SCOs, Residential Use SCOs, Restricted Residential SCOs and/or Commercial Use SCOs.

The soil vapor analytical results of the Phase II revealed that several VOCs (1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2-butanone, 2-hexanone, acetone, benzene, carbon disulfide, chloroform, dichlorodifluoromethane, ethylbenzene, isopropanol, methylene chloride, n-heptane, n-hexane, o-xylene, p&m-xylenes, p-ethyl toluene, propylene, styrene, toluene, and trichlorofluoromethane) were detected

In a letter dated July 30, 2024 (see **Appendix I),** based on the contamination identified, DEP recommends that an (E) designation for hazardous materials be placed on the Projected Development Site pursuant to Section 11-15 of the New York City Zoning Resolution (ZR) for Block 2888, Lot 23. The (E) designation would ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance at the site, as well as ensure the maintenance and oversight of any required engineering controls by the Mayor's Office of Environmental Remediation (OER). Further hazardous materials assessments should be coordinated through OER. In addition, Issuance of the Notice to Proceed (NTP) by OER would also be required and provided to HPD prior to closing for the Proposed Project.

On October 2, 2024, the NYC Department of City Planning (DCP) assigned the Projected Development Site (Block 2888, Lot 23) (E) designation, E-809. The (E) designation (E-809) text for Block 2888, Lot 23 relates to hazardous materials and is as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I and Phase II of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after reviewing sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving

such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation so that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and should be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

VI. FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

In the future without the Proposed Actions, also known as the "No-Action Condition," the Projected Development Site would not be redeveloped and no in-ground disturbance or site excavation is anticipated to occur at the Projected Development site. The site would continue to remain vacant and undeveloped.

VII. FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

In the future with the Proposed Actions, the Projected Development Site would be developed with an approximately 82,759-gsf residential building containing 66 affordable residential cooperative DUs. The Proposed Actions would result in site excavation for building foundations, site improvements and utilities. Although this could increase pathways for human exposure to any contaminated materials present in the subsurface, impacts would be avoided with the placement of (E) designation at the site, which will require the Applicant/Project Sponsor to coordinate with OER and will ensure that any additional testing and mitigation will be provided, including a remediation plan for the Projected Development Site and a construction-related health and safety plan (CHASP), to the satisfaction of New York City Department of Housing, Preservation and Development (HPD) and OER. The remediation plan and CHASP would be based on the results of the Phase I and Phase II subsurface investigation, and any other additional site investigations. The Project Sponsor will also commit to all remediation measures deemed necessary by HPD and OER. To address the remediation of known or potential environmental conditions that may be encountered during proposed construction and development activities at the Projected Development Site, all construction work involving subsurface disturbance would be performed under a site-specific OER-approved remediation plan and CHASP. In addition, Issuance of the Notice to Proceed (NTP) by OER would also be required and provided to HPD prior to closing for the Proposed Project.

With the implementation of the measures and recommendations outlined above, no significant adverse impacts related to hazardous materials would be expected to occur as a result of the Proposed Actions and resultant development. There would be no potential for significant adverse impacts following the construction of the Proposed Project. No new activities or processes using hazardous material would be introduced by the Proposed Actions.

ATTACHMENT G

NOISE

I. INTRODUCTION

This attachment assesses the potential for the Proposed Actions to result in significant adverse noise impacts. As described in **Attachment A, "Project Description,"** the Proposed Actions would facilitate the development of 66 residential dwelling units (DUs) ("Proposed Project") at 1640 Anthony Avenue (Block 2888, Lot 23; "Projected Development Site"). It is expected that the site would be completely constructed and fully occupied by 2028.

Approval of the Proposed Actions would not generate sufficient traffic volumes near the Project Area to trigger a detailed traffic analysis, and thus, it is unlikely that the Proposed Actions would result in a significant noise impact due to mobile sources (i.e., it would not result in a doubling of noise passenger car equivalents [PCEs] which would be necessary to a cause a 3 dBA increase in noise levels). However, as the Proposed Actions would create new noise-sensitive uses (or "receptors") at the Projected Development Site, a noise analysis was conducted in order to determine the level of building attenuation required to ensure that future interior noise levels within the Proposed Project would satisfy applicable noise exposure criteria. Additionally, as the Projected Development Site is located adjacent to an existing child care facility featuring an outdoor play area on the second floor terrace fronting Anthony Avenue, the noise assessment will also consider the effects of existing play area noise on the Proposed Project's future residential uses.

II. NOISE FUNDAMENTALS

Quantitative information on the effects of airborne noise on people is well documented. If sufficiently loud, noise may adversely affect people in several ways. For example, noise may interfere with human activities such as sleep, speech communication, and tasks requiring concentration or coordination. It may also cause annoyance, hearing damage, and other physiological problems. Although it is possible to study these effects on people on an average or statistical basis, it must be remembered that all the stated effects of noise on people vary with the individual. Several noise scales and rating methods are used to quantify the effects of noise on people. These scales and methods consider factors such as loudness, duration, time of occurrence, and changes in noise level with time.

"A"-Weighted Sound Level (dBA)

Noise is typically measured in units called decibels (dB), which are ten times the logarithm of the ratio of the sound pressure squared to a standard reference pressure squared. Because loudness is important in the assessment of the effects of noise on people, the dependence of loudness on frequency must be considered in the noise scale used in environmental assessments. Frequency is the rate at which sound pressures fluctuate in a cycle over a given quantity of time, and is measured in Hertz (Hz), where 1 Hz equals 1 cycle per second. Frequency defines sound in terms of pitch components. In the measurement system, one of the simplified scales that accounts for the dependence of perceived loudness on frequency is the use of a weighting network - known as A-weighting - that simulates the response of the human ear.

For most noise assessments, the A-weighted sound pressure level in units of dBA is used due to its widespread recognition and its close correlation to perception. In this analysis, all measured noise levels are reported in dBA or A-weighted decibels. Common noise levels in dBA are shown in **Table G-1**.

TABLE G-1: Common Noise Levels

Sound Source	(dBA)
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Soft Whisper at 5 meters	30
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0

Source: *2021 CEQR Technical Manual* / Cowan, James P. Handbook of Environmental Acoustics. Van Nostrand Reinhold, New York, 1994. Egan, M. David, Architectural Acoustics. McGraw-Hill Book Company, 1988.

Note: A 10 dBA increase appears to double the loudness, and a 10 dBA decrease appears to halve the apparent loudness.

Noise Descriptors Used in Impact Assessment

As the sound pressure level unit, dBA, describes a noise level at just one moment, and very few noises are constant, other ways of describing noise over extended periods have been developed. One way of describing fluctuating sound is to describe the fluctuating noise heard over a specific time as if it had been a steady, unchanging sound. For this condition, a descriptor called the "equivalent sound level," L_{eq}, can be computed. L_{eq} is the constant sound level that, in each situation and time period (e.g., 1 hour, denoted by $L_{eq(1)}$, or 24 hours, denoted as $L_{eq(24)}$), conveys the same sound-energy as the actual time-varying sound.

Statistical sound level descriptors such as L_1, L_{10}, L_{50}, L_{90}, and L_x, are sometimes used to indicate noise levels that are exceeded 1, 10, 50, 90 and x percent of the time, respectively. Discrete event peak levels are given as L_1 levels. L_{eq} is used in the prediction of future noise levels, by adding the contributions from new sources of noise (i.e., increases in traffic volumes) to the existing levels and in relating annoyance to increases in noise levels.

The relationship between L_{eq} and levels of exceedance is worth noting. Because L_{eq} is defined in energy rather than straight numerical terms, it is not simply related to the levels of exceedance. If the noise fluctuates little, L_{eq} will approximate L_{50} or the median level. If the noise fluctuates broadly, the L_{eq} will be approximately equal to the L_{10} value. If extreme fluctuations are present, the L_{eq} will exceed L_{90} or the background level by 10 or more decibels. Thus, the relationship between L_{eq} and the levels of exceedance will depend on the character of the noise. In community noise measurements, it has been observed that the L_{eq} is generally between L_{10} and L_{50}. The relationship between L_{eq} and exceedance levels has been used in this analysis to characterize the noise sources and to determine the nature and extent of their impact at both monitoring locations.

The one-hour equivalent continuous noise level ($L_{eq\ (1h)}$ in dBA), the tenth percentile level L_{10} and the day-night average sound level L_{dn} were selected as the noise descriptors for the purposes of this analysis. Hourly statistical noise levels (particularly L_{10} and L_{eq} levels) were used to characterize the relevant noise sources and their relative importance at each receptor location.

Applicable Noise Codes and Impact Criteria

New York City Noise Code

The New York City Noise Control Code, as amended in December 2005, contains prohibitions regarding unreasonable noise and specific noise standards, including plainly audible criteria for specific noise sources. In addition, the amended code specifies that no sound source operating in connection with any commercial or business enterprise may exceed the decibel levels in the designated octave bands at specified receiving properties.

CEQR Technical Manual Noise Standards

The New York City Department of Environmental Protection (DEP) has set external noise exposure standards. These standards are shown in **Table G-2**.

Noise Exposure is classified into four categories: acceptable, marginally acceptable, marginally unacceptable, and clearly unacceptable. The standards shown are based on maintaining an interior noise level for the worst-case hour L_{10} of less than or equal to 45 dBA. Attenuation requirements are shown in **Table G-3.**

TABLE G-2: Noise Exposure Guidance for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1. Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	---------- DNL ≤ 60 dBA ----------		---------- 60 < DNL ≤ 65 dBA ----------		(1) 65 < DNL ≤ 75 dBA		---------- 75 dBA < DNL ----------
2. Hospital, Nursing Home		$L_{10} \leq 55$ dBA		$55 < L_{10} \leq 65$ dBA		$65 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
3. Residence, residential hotel or motel	7 AM to 10 PM	$L_{10} \leq 65$ dBA		$65 < L_{10} \leq 70$ dBA		$70 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
	10 PM to 7 AM	$L_{10} \leq 55$ dBA		$55 < L_{10} \leq 70$ dBA		$70 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
4. School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Source: New York City Department of Environmental Protection (adopted policy 1983).

Notes: (i) In addition, any new activity shall comply with the Impact Thresholds detailed in Section 410 of the 2021 *CEQR Technical Manual*;

1 Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

2 Tracts of land where serenity and quiet are extraordinarily important and serve an important public need and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and old-age homes.

3 One may use the FAA-approved L_{dn} contours supplied by the Port Authority, or the noise contours may be computed from the federally approved INM Computer Model using flight data supplied by the Port Authority of New York and New Jersey.

4 External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are octave band standards).

TABLE G-3: Required Attenuation Values to Achieve Acceptable Interior Noise Levels

		Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic		$70< L_{10} \leq 73$	$73< L_{10} \leq 76$	$76< L_{10} \leq 78$	$78< L_{10} \leq 80$	$80<L_{10}$
Aircraft [A]	65<DNL≤68	68<DNL≤71	71<DNL≤73	73<DNL≤75	75<DNL	Aircraft [A]
Train	$65<L_{dn} \leq 68$	$68<L_{dn} \leq 71$	$71<L_{dn} \leq 73$	$73<L_{dn} \leq 75$	$75<L_{dn}$	Train
Attenuation [B]		(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	See Note C

Note: [A] DNL descriptor based on average values of L_{dn} over a year period.

[B] The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.

[C] The required attenuation value is the difference between L_{build} and $L_{interior}$, using the appropriate noise descriptor C The required attenuation value is the difference between L_{Build} and $L_{interior}$, using the appropriate descriptor:

Where:

L_{Build} is the projected noise level under the build condition rounded up to the whole number.

$L_{interior}$ is the designed interior noise level (45 dBA for vehicular noise; 40 dBA for aircraft and train noise).

Source: New York City Department of Environmental Protection / 2021 *CEQR Technical Manual*

III. NOISE PREDICTION METHODOLOGY

Play Area Noise

While people are not usually thought of as stationary noise, children in playgrounds or spectators at outdoor sporting events or concerts can introduce additional sources of noise within communities. According to the *CEQR Technical Manual*, noise generated by children in playgrounds or people using parks is considered a stationary source of noise. As noted above, the Projected Development Site is located directly adjacent to an existing outdoor play area that is accessory to a child care facility located at 1638 Anthony Avenue (Block 2888, Lot 21). Specifically, the existing play area is located on the second floor terrace fronting Anthony Avenue, directly south of the Projected Development Site. As such, a preliminary play area noise assessment was conducted to determine the need for additional attenuation requirements for the building facades that could be affected by the existing play area.

Potential noise impacts at the Proposed Project due to the use of the existing play area were determined using methodology based on the measurements and procedures outlined in a study entitled, "SCA Playground Noise Study" (1992).[1] This study was conducted for the New York City School Construction Authority (SCA), and included intensive noise monitoring programs at a total of nine schools – one early childhood center, four elementary schools, three intermediate schools, and one high school. Based on the noise monitoring results, hourly equivalent (L_{eq}) noise levels were determined for the various types of schools. To predict potential noise impacts at a given distance from a play area boundary, the study suggests a 4.5 dBA reduction in L_{eq} noise levels per doubling of distance at a distance between 40 and 300 feet, with initial reductions of 4.8 dBA at 20 feet, 6.8 dBA at 30 feet, and 9.1 dBA at 40 feet. Noise levels can be estimated with the following equation at sensitive receptors with a direct line of sight to the play area between 40 to 300 feet:

$Lp1 = Lp2 - 15*\log(d/10)$

Where:

Lp1 = the predicted noise level at a specific distance.

Lp2 = the maximum L_{eq} at the boundary of the play area.

d = the distance from the play area boundary to the sensitive receptor in feet.

In certain situations, these values may overstate play area noise levels.

Table G-5 shows the results of the play area noise assessment at these receptors using the methodology described above for predicting play area-generated noise levels. As indicated in the table, the maximum predicted L_{eq} noise levels along the western facades of the future residential building at the Projected Development Site within 50 feet of the existing play area would be 71.5; and the maximum predicted L_{eq} noise levels along the western façades of the future residential buildings at the Projected Development Site beyond 50 feet of the existing play area would be 61.0 dBA. The predicted play area noise levels presented in **Table G-5** will be utilized to determine the maximum predicted L_{eq} and L_{10} noise levels at each sensitive receptor by combining the predicted play area noise values with existing background noise values presented in the "Existing Conditions" section, below.

[1] Cowan, James P. & Holley, Stephen J., AKRF, Inc. "SCA Playground Noise Study," October 23, 1992.

Table G-5: Highest Predicted Noise Levels due to Play Area Noise (in dBA)

Receptor Location		Closest Approximate Distance (feet) to Existing Play Area	Play Area L_{eq} at Receptor (in dBA)
Building	**Façade**		
Projected Development Site	Western (≤50 ft from play area)	0	71.5
	Western (>50 ft from play area)	50	61.0

Note: Play Area L_{eq} noise levels presented in this table do not factor in background noise levels.

IV. EXISTING CONDITIONS

Selection of Noise Receptor Locations

The Project Area is in the Claremont neighborhood of Bronx Community District (CD) 4. It extends along the east side of Anthony Avenue and north side of Belmont Street and comprises approximately 15,355-sf portion of the block bound by East 173rd Street to the north, Anthony Avenue/Clay Avenue to the east, and Webster Avenue to the west. Belmont Street bisects Block 2888 into two portions.[2] The Projected Development Site (Block 2888, Lot 23) located at 1640 Anthony Avenue is comprised of two, irregularly shaped lots with slightly less than 100 feet of frontage along Anthony Avenue to the west. It is currently vacant with vegetation and overgrowth.

A single noise receptor location was selected along the street frontage bounding the Projected Development Site (see **Table G-6** below and **Figure G-1**). As discussed, local traffic is the dominant source of noise near the Project Area.

Table G-6: Noise Receptor Location

Receptor Location/Map Number [1]	Duration	Monitoring Location
1	20 minutes	Projected Development Site's western frontage (Anthony Avenue) at a location approximately 130 feet north of Belmont Street

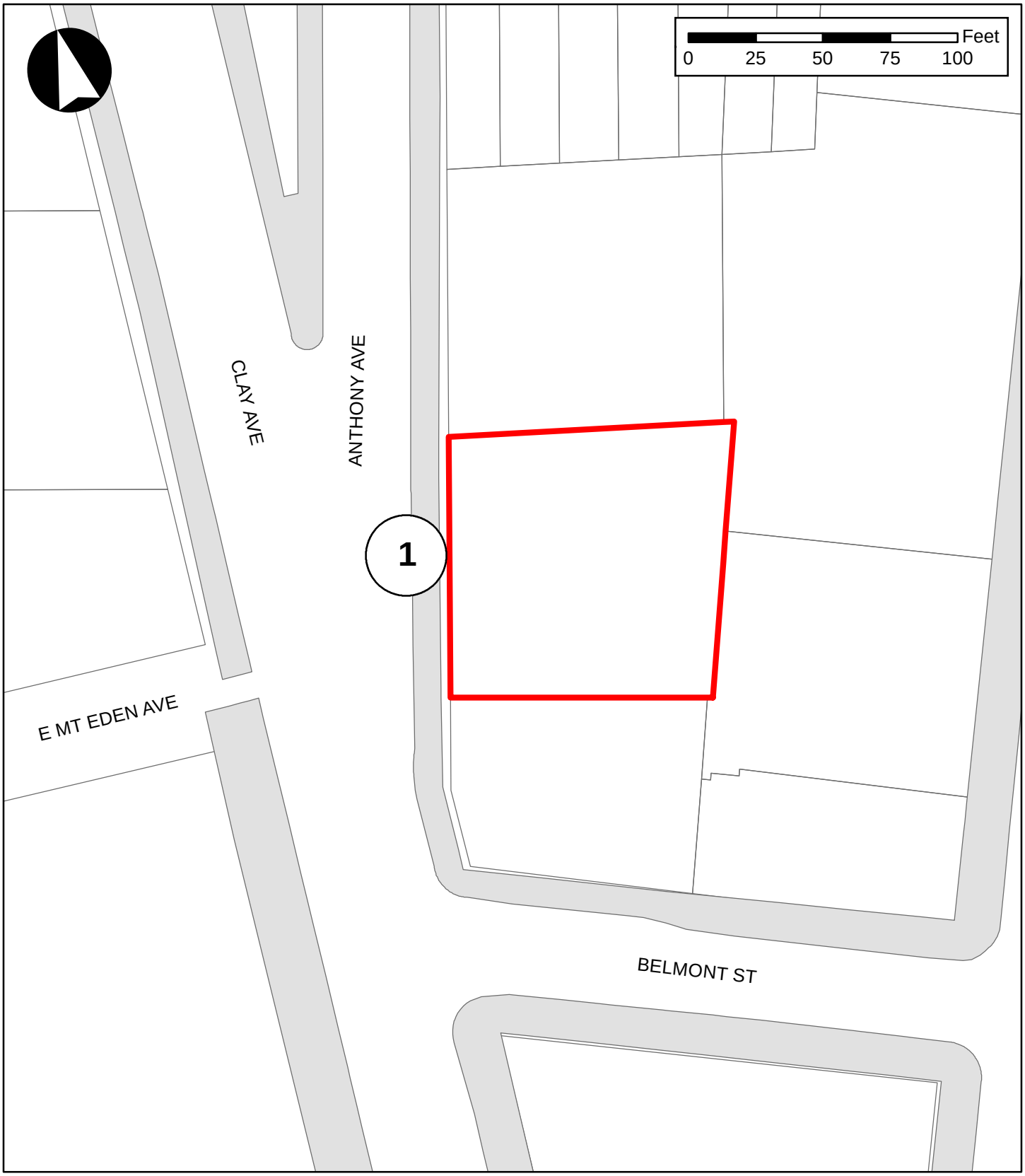
[1] Noise receptor locations are keyed to **Figure G-1**.

Noise Monitoring

Monitoring was conducted during the typical midweek conditions. At the receptor location, 20-minute spot measurements of existing noise levels were performed for the weekday AM peak hour (8:00AM to 9:00AM), weekday midday (MD) peak hour (12:00PM to 1:00PM), and weekday PM peak hour (5:00PM to 6:00PM). Noise measurements were performed on Tuesday November 29, 2022. On November 29, the weather was sunny with a high temperature of 43 ºF and average wind speeds of one mile-per-hour. Traffic volumes and vehicle classifications were documented during the noise monitoring.

[2] The Project Area comprises the 14,688-sf proposed rezoning area and the portions of Projected Development Site (including Lot 23) that would not be rezoned as a part of the Proposed Actions.

Figure G-1
Noise Monitor Locations



Equipment Used During Noise Monitoring

The instrumentation used for the measurement at receptor location 1 was a Brüel & Kjær Type 4189 ½-inch microphone connected to a Brüel & Kjær Model 2250 Type 1 (as defined by the American National Standards Institute) sound level meter. This assembly was mounted at a height of 5 feet above the ground surface on a tripod and at least 6 feet away from any sound-reflecting surfaces to avoid major interference with source sound level that is being measured. The meter was calibrated before and after readings with a Brüel & Kjær Type 4231 sound-level calibrator using the appropriate adaptor. Measurements at the receptor location were made on the A-scale (dBA). The data were digitally recorded by the sound level meter and displayed at the end of the measurement period in units of dBA. Measured quantities included L_{eq}, L_1, L_{10}, L_{50}, and L_{90}. A windscreen was used during all sound measurements except for calibration. Only traffic-related noise was measured; noise from other sources (e.g., emergency sirens, irregular aircraft flyovers, etc.) was excluded from the measured noise levels. Weather conditions were noted to ensure a true reading as follows: wind speed under 12 mph; relative humidity under 90 percent; and temperature above 14°F and below 122°F (pursuant to ANSI Standard S1.13-2005).

Existing Noise Levels at the Noise Receptor Locations

Measured Noise Levels

The noise monitoring results are shown in **Table G-7**. Noise from vehicular traffic was the dominant source of noise at the receptor location. The existing noise levels reflect the level of vehicular activity on the roadway bounding the Projected Development Site, with the highest existing noise levels observed during the weekday AM monitoring period.

As shown in **Table G-7**, the highest L_{10} value at receptor location 1 was recorded in the AM peak hour (64.62 dBA), placing this receptor location in the "Marginally Acceptable" CEQR Noise Exposure category pursuant to the guidance of the *CEQR Technical Manual*.

TABLE G-7: Existing Noise Levels (in dBA) at Receptor Location 1

Receptor Location[1]	Time	L_{eq}	L_{max}	L_{min}	L_1	L_{10}[2]	L_{50}	L_{90}	CEQR Noise Exposure Category
1	AM	62.83	77.14	51.47	73.38	**64.62**	59.97	55.77	Marginally Acceptable
	MD	61.97	85.22	49.29	73.36	60.59	54.03	51.28	
	PM	60.19	78.15	49.96	71.47	62.32	56.16	52.09	

Notes: [1] Refer to **Figure G-1** for noise monitoring receptor location.
[2] The highest L_{10} noise levels at each monitoring location are shown in **bold**.

Play Area Noise

As the Projected Development Site is located directly adjacent to an existing outdoor play area, this noise assessment will utilize the maximum playground boundary noise levels presented in **Table F-5**. Therefore, the referenced noise levels in L_{eq} from the existing play area at 1638 Anthony Avenue are assumed to be:

- 71.5 dBA along the Proposed Project's western frontage facing Anthony Avenue within 50 feet of the existing play area; and

- 61.0 dBA along the Proposed Project's western frontage facing Anthony Avenue beyond 50 feet of the existing play area.[3]

As presented in **Table G-8**, due to the location of the existing play area, the Proposed Project would experience combined L_{eq} play area noise levels of up to 72.1 dBA at the building's western (Anthony Avenue) façade within 50 feet of the play area, and up to 65.0 dBA at the building's western façade beyond 50 feet of the play area. After calculating the predicted L_{10} noise levels from the existing stationary noise sources (refer to **Table G-8**), the Proposed Project's western façades with a direct line of sight and within 50 feet of the existing play area would fall in the "Marginally Unacceptable (II)" CEQR Noise Exposure category, whereas the Proposed Project's western facades beyond 50 feet of the existing play area would fall in the "Marginally Acceptable" CEQR Noise Exposure category.

With implementation of the attenuation levels outlined in Section V, "Noise Attenuation Requirements," below, the Proposed Project would provide sufficient attenuation to achieve *CEQR Technical Manual* interior noise level guidance of 45 dBA for residential/community facility uses.

Table G-8
Predicted Noise Levels on the Proposed Project due to the Existing Play Area (in dBA)

Sensitive Receptor		Approximate Distance (feet) to Proposed Play Space	Playground L_{eq} at Receptor	Highest Predicted Combined L_{eq} at Receptor	Highest Predicted Combined L_{10} at Receptor[1]	Highest Predicted Combined L_{dn} at Receptor [2]
Site	Façade					
Projected Development Site (Block 2888, Lot 23)	Western (≤50 ft from the existing play area)	0-50 ft	71.5	72.1	73.9	70.9
	Western (>50 ft from the existing play area)	>50 ft	61.0	65.0	66.8	63.8

Note:
[1] For conservative purposes, predicted L_{10} play area noise levels calculated by combining the predicted playground L_{eq} and the difference between L_{eq} and L_{10} monitored noise levels under existing conditions.

V. NOISE ATTENUATION REQUIREMENTS

CEQR Attenuation Requirements

As shown earlier in **Table G-3**, the *CEQR Technical Manual* has set noise attenuation requirements for buildings based on exterior noise levels. Recommended composite window/wall attenuation values for buildings are designed to maintain interior noise levels of 45 dBA or lower for residential and community facility uses and are determined based on exterior L_{10} noise levels.

The attenuation of a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Typically, a building's façade is

[3] Cowan, James P. & Holley, Stephen J., AKRF, Inc. "SCA Playground Noise Study," October 23, 1992.

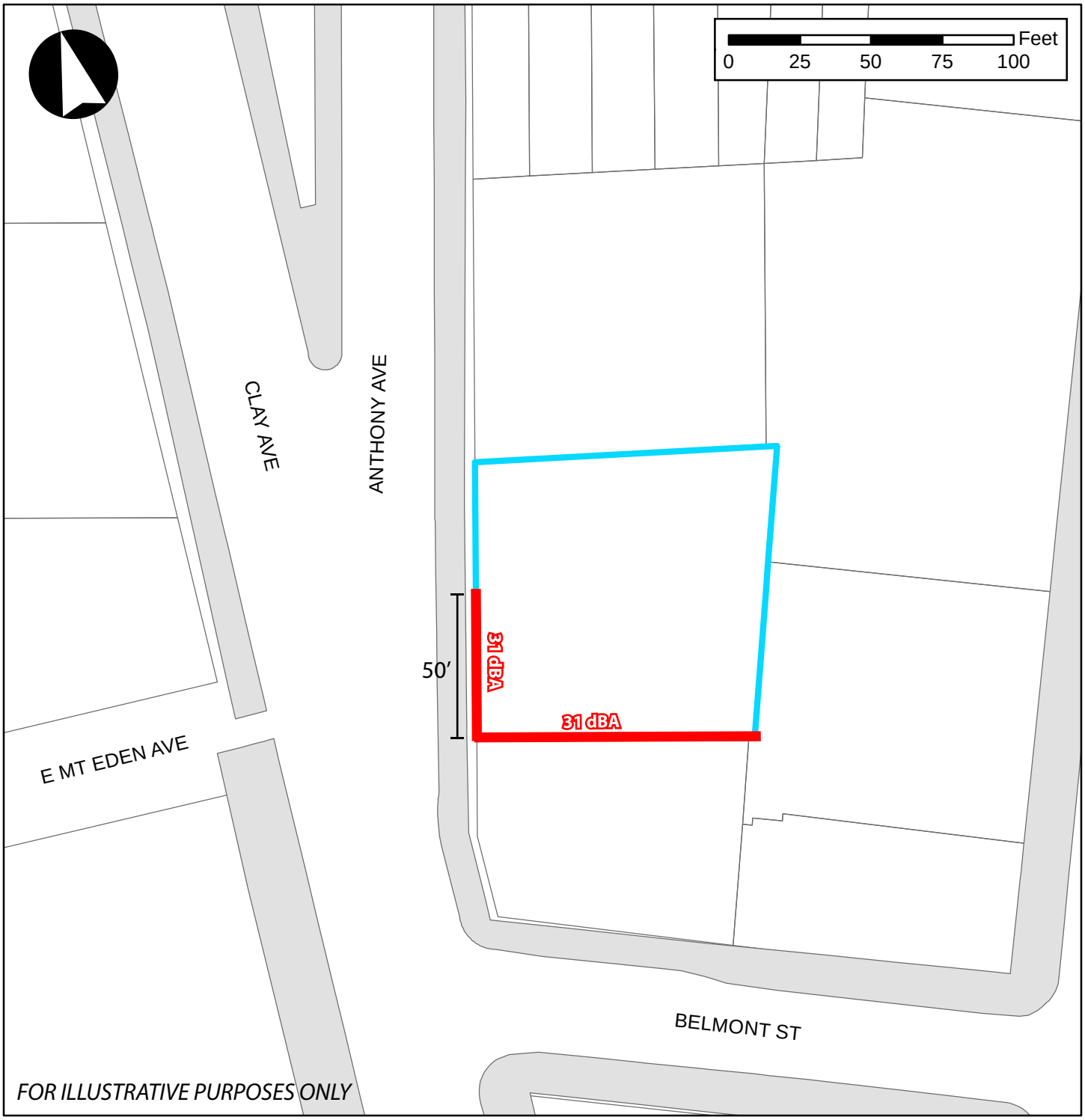
composed of the wall, windows, and any vents or louvers for heating, ventilation, and air conditioning (HVAC) systems in various ratios of area. All facades that would experience an L_{10} of 70.0 dBA or greater must provide an alternate means of ventilation (AMV) permitting a closed window condition during warm weather. This can be achieved by installing double-glazed windows on a heavy frame for masonry structures or windows consisting of laminated glass, along with AMV such as central air conditioning, through-wall sleeve-fitted air conditioners, packaged terminal air conditioning (PTAC) units, trickle vents integrated into window frames, or other approved means. Where the required window/wall attenuation is above 40 dBA, special design features may be necessary that go beyond the normal double-glazed window and air conditioning. These may include specially designed windows (e.g., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.) and additional building insulation.

To simplify the noise attenuation properties of a wall, the STC rating was developed. It is a single number that describes the sound isolation performance of a given material for the range of test frequencies between 125 and 4,000 Hz. These frequencies sufficiently cover the range of human speech. Higher STC values reflect greater efficiencies to block airborne sound.

The OITC is similar to the STC, except that it is weighted more towards the lower frequencies associated with aircraft, rail, and truck traffic. The OITC classification is defined by the American Society of Testing and Materials (ASTM E1332-90 (Reapproved 2003)) and provides a single-number rating that is used for designing a building façade including walls, doors, glazing, and combinations thereof. The OITC rating is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation noise. DEP uses the OITC when identifying the required sound attenuation for a façade.

Based on existing exterior noise levels and *CEQR Technical Manual* criteria, noise levels at receptor location 1 (representing the building frontages along Anthony Avenue) within and beyond 50 feet of the existing play area at 1638 Anthony Avenue fall into the "Marginally Unacceptable (II)" and "Marginally Acceptable" CEQR Noise Exposure categories, respectively. The Proposed Project would therefore necessitate a minimum of 31 dBA of composite window/wall attenuation for any residential or community facility uses on any western-facing (Anthony Avenue) frontages within 50 feet of the existing play area at 1638 Anthony Avenue (refer to **Table G-9** and **Figure G-2**). No special noise attenuation measures beyond standard construction practices would be required for any other building frontages in order to achieve the required residential and community facility interior noise level of 45 dBA or lower in accordance with CEQR guidance. In addition to the attenuation requirements described above, in order to ensure an acceptable interior noise environment for residential and/or community facility uses, the Proposed Project must provide a closed-window condition. To maintain a closed-window condition, an alternate means of ventilation (AMV) must also be provided. AMV includes, but is not limited to, central air conditioning.

Building Attenuation Requirements



Legend

Project Site

CEQR/HUD Window/Wall Attenuation Requirements

31 dBA

(Represents requirements pursuant to CEQR, which meet HUD Noise Guidelines)

Note: Attenuation requirements pursuant to CEQR are for residential and/or community facility uses; requirements for commercial office uses would be 5 dBA less. Attenuation requirements pursuant to HUD are for residential uses only.

Table G-9: Required CEQR Attenuation at Noise Measurement Locations

Frontage	Receptor Location[1]	Maximum Calculated Total L_{10} Noise Level in dBA	CEQR Minimum Required Attenuation in dBA[2]	Maximum Calculated Total Ldn Noise Level in dBA
Western Frontage (Anthony Avenue; ≤50 feet of the existing play area)	1	73.9	31	70.9
Western Frontage (Anthony Avenue; >50 feet of the existing play area)		66.8	N/A[3]	N/A

Notes:
[1] Receptor locations shown in **Figure G-1**.
[2] The above composite window-wall attenuation values are for residential/community facility uses. Commercial office uses would be 5.0 dBA less in each category. All the above categories require a closed window situation and an alternate means of ventilation.
[3] The "N/A" valuation indicates that the highest calculated L_{10} noise level is below 70 dBA. The *CEQR Technical Manual* does not specify minimum attenuation guidance for exterior L_{10} values below this level.

By providing the attenuation described above and presented in **Table G-9** and **Figure G-2**, the Proposed Project would achieve the required CEQR residential and community facility interior noise level of 45 dBA or lower. The specific attenuation requirements will be memorialized through the provisions included in the LDA and Regulatory Agreement between HPD and the Project Sponsor. The LDA and Regulatory Agreement will also require a stamped architect's letter be submitted to HPD for approval prior to closing. With implementation of the noise attenuation levels outlined above, the Proposed Project would provide sufficient attenuation to achieve CEQR interior noise level requirements for residential and/or community facility uses. Thus, the Proposed Project would not result in any significant adverse noise impacts related to building attenuation requirements.

IV. OTHER NOISE CONCERNS

Mechanical Equipment

The Proposed Project's mechanical systems (i.e., heating, ventilation, and air conditioning systems) will be designed to meet all applicable noise regulations and requirements and would be designed to produce noise levels that would not result in any significant increase in ambient noise levels. In addition, the building mechanical systems would be designed with enclosures where necessary to meet all applicable noise regulations (i.e., Subchapter 5 §24-227 of the New York City Noise Control Code and the NYC DOB Building Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Actions would not result in any significant increases in ambient noise levels.

Train Noise

An initial train noise impact screening analysis could be warranted if a new receptor would be located within 1,500 feet of existing rail activity and have a direct line of sight to that activity. While the Projected Development Site is within 1,500 feet of the Metropolitan Transit Authority's Harlem Line rail cut (approximately 650 feet east of the Projected Development Site), due to the orientation of the Projected Development Site and the surrounding properties, the Proposed Project would not have a direct line of

sight to this rail activity as the surrounding buildings east of the Projected Development Site provide shielding. Therefore, no initial train noise impact screening analysis is warranted.

Aircraft Noise

An initial aircraft noise impact screening analysis would be warranted if the new receptors are located within a 65 dB(A) DNL contour. Since the Project Area is not located within an existing 65 dB(A) DNL contour, no initial aircraft noise impact screening analysis is warranted.

VII. CONCLUSION

The Proposed Project would not generate sufficient traffic volumes near the Projected Development Site to trigger a detailed traffic analysis, and thus, it is unlikely that the Proposed Actions would result in a significant noise impact due to mobile sources. No potential impacts from mechanical noise, train noise, or aircraft noise were identified. However, as the Projected Development Site is located adjacent to an existing childcare facility at 1638 Anthony Avenue featuring an outdoor play area on the second-floor terrace fronting Anthony Avenue, this noise assessment considered the effects of existing play area noise on the Proposed Project's future residential uses.

Since the Proposed Actions would add new sensitive receptors to the site, a noise analysis was conducted in order to determine the level of building attenuation required to ensure that future interior noise levels within the Proposed Project would satisfy applicable noise exposure criteria. The analysis found that in order to satisfy *CEQR Technical Manual* standards for interior noise levels, noise attenuation would be required as part of the Proposed Project. A minimum of 31 dBA of composite window/wall attenuation would be required for any residential or community facility uses on any western-facing (Anthony Avenue) frontages at the Projected Development Site within 50 feet of the existing play area at 1638 Anthony Avenue. The specific CEQR attenuation requirements will be memorialized through the provisions included in the LDA and Regulatory Agreement between HPD and the Project Sponsor. The LDA and Regulatory Agreement will also require a stamped architect's letter be submitted to HPD for approval prior to closing. With implementation of the attenuation levels outlined above, described in **Table G-9** and shown in **Figure G-2**, the Proposed Project would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines. Therefore, the Proposed Actions would not result in any significant adverse impacts related to noise attenuation.

APPENDIX I

CITY AGENCY CORRESPONDENCE

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-X
Project: CLAREMONT HOUSE
Date Received: 1/13/2023

Properties with no Architectural or Archaeological significance:

1) 1640 ANTHONY AVENUE, BBL: 2028880023
2) 1642 ANTHONY AVENUE, BBL: 2028880025

Gina Santucci 1/24/2023

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 36846_FSO_DNP_01242023.docx

From: Humes, Emily (Parks)
To: Owrang, Shahandeh (HPD); Alderson, Colleen (Parks)
Cc: Howard, Anthony (HPD); Schaefer, Alexander (HPD); Dowling, Julia (Parks)
Subject: RE: request for CEQR # 23HPD093X (Claremont House) Reference # 23HPD093X-36-04082023120840
Date: Friday, September 1, 2023 3:59:23 PM

Hello,

One minor comment on the Shadows chapter for Claremont, on page D-8 in the second to last paragraph it references that vegetation needs at least 4-6 hours of sunlight per the CEQR Tech Manual, the guidance really says that the amount typically required to be the minimum for plants is 6-8 hours, but some plants can tolerate less (4-6 hours) – so this should be updated. That being said, the chapter does state that both Open Spaces will continue to receive 6-8 hours of sunlight during the growing season and does a good job of describing the plant types and why they wouldn't be effected during the December analysis day. We have no other comments/concerns and don't need to see it again.

Thanks,
Emily

Emily Humes (she/her/hers)
Environment and Planning
T 212.360.8195
C 929.237.3433
E Emily.Humes@parks.nyc.gov

nyc.gov/parks

From: Owrang, Shahandeh (HPD) <OwrangS@hpd.nyc.gov>
Sent: Friday, August 4, 2023 12:09 PM
To: Humes, Emily (Parks) <Emily.Humes@parks.nyc.gov>; Alderson, Colleen (Parks) <Colleen.Alderson@parks.nyc.gov>
Cc: Howard, Anthony (HPD) <HowardA@hpd.nyc.gov>; Schaefer, Alexander (HPD) <SchaefeA@hpd.nyc.gov>
Subject: request for CEQR # 23HPD093X (Claremont House) Reference # 23HPD093X-36-04082023120840
Importance: High

CEQR #: 23HPD093X
Project Name: Claremont House
Reference #: 23HPD093X-36-04082023120840

Hello,

Please log into CEQR-View to view the details of this request and provide an acknowledgement that you have recorded it.

Thank you

Additional Notes:

Hello,

HPD is requesting the review of the shadow chapter for this project. The EAS is placed in "working_docs" folder. Please let me know if you need anthing.

Best
Shay Owrang

Environmental Protection

Rohit T. Aggarwala
Commissioner

Angela Licata
Deputy Commissioner
Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
alicata@dep.nyc.gov

July 19, 2023

Anthony Howard
Director, Environmental Planning
New York City Department of Housing Preservation and Development
100 Gold Street
New York, NY 10038

Re: Claremont House
1640 Anthony Avenue
Block 2888, Lots 21, 23, 25, part of Lots 28, 50, and 58
CEQR # 23HPD093X

Dear Mr. Howard:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the February 2023 Environmental Assessment Statement (EAS) prepared by Philip Habib & Associates, the September 2022 Phase I Environmental Site Assessment (Phase I), the November 2022 Phase II Environmental Site Investigation Work Plan (Work Plan) and Health and Safety Plan (HASP) prepared by ALC Environmental on behalf of Claremont Homeownership LLC (applicant) for the above referenced project. It is our understanding that the applicant is seeking several discretionary approvals, including: (1) a zoning map amendment to rezone an approximately 14,966 square foot portion of Block 2888, including Lots 21, 23, 25, p/o 28, 50, and 58 (Rezoning Area) from R7-1 to R8; (2) a zoning text amendment to map a Mandatory Inclusionary Housing Area over the proposed rezoning area; (3) site disposition of City-owned Lots 23 and 25 on Block 2888; (4) Urban Development Action Area designation and Urban Development Action Area Project approval of Lots 23 and 25; and (5) a Mayoral Zoning Override. In addition, discretionary funding, including New York City Department of Housing Preservation and Development's Open Door program and funding from New York State Division of Housing and Community Renewal (Proposed Actions), would be sought to facilitate the proposed affordable housing development in the Claremont neighborhood of Bronx Community District 4. The Projected Development Site (Block 2888, Lots 23 and 25) at 1640 Anthony Avenue would be developed with a new 13-story, 81,818 gross square feet (gsf) residential building and would consist of 66 affordable cooperative dwelling units, and 2,060 gsf of residential amenities including a community room, gym, and bicycle storage located in the cellar level, plus a 3,390 sf private rear yard. No additional or new development would be anticipated to occur on the other affected tax lots because of the Proposed Actions.

Projected Development Site (Block 2888, Lots 23 and 25)

The September 2022 Phase I report revealed that historical on-site and surrounding area land uses consisted of a variety of residential and commercial uses including a metal works facility, auto repair shops, auto parts storage, commercial garage with an underground gasoline tank, lacquer shop, tire shop, lumber storage, etc. Regulatory databases identified 8 spills, 1 historical dry cleaner and 6 historical auto sites within 1/8 mile; 10 underground storage tank sites and 54 aboveground storage tank sites within 1/4 mile; 30 leaking storage tank sites within 1/2 mile; and 1 manufactured gas plant site within 1 mile of the subject property.

The November 2022 Work Plan proposes to advance a total of four soil borings (SB-1 through SB-4) at the Site, to a depth of approximately 12 to 15 feet below grade surface (bgs). Two soil borings (SB-1 and SB-2) will be advanced along the eastern border of the subject lot, and the two remaining soil borings (SB-3 and SB-4) will be advanced in the western portion of the lot. Two soil samples will be collected from each of the four soil borings: one surface soil sample (from the 0 to 2-foot interval bgs) and a subsurface soil sample (from the 2-foot interval beneath the maximum excavation depth). Two temporary groundwater monitoring wells will be installed at the Site within two selected soil borings. Soil and groundwater samples will be analyzed for volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds (SVOCs) by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls (PCBs) by EPA Method 8082, and Target Analyte List metals by EPA Method 6010 and 7471 (filtered and unfiltered for groundwater samples). Three soil vapor implants will be installed at the Site and three soil vapor samples will be collected and analyzed for VOCs by EPA Method TO-15. The HASP addresses worker and community health and safety during remedial investigation activities.

Based upon our review of the submitted documentation, we have the following comments and recommendations to HPD:

EAS

- HPD should inform the applicant that the Hazardous Materials section of the EAS should be revised/updated as appropriate as the hazardous materials assessment progresses.

Work Plan

- HPD should instruct the applicant to provide details on the maximum excavation depths.

- HPD should instruct the applicant that a minimum of one (1) additional soil boring should be installed on the subject property and soil samples should be collected for laboratory analysis. The additional soil boring should be installed near proposed soil vapor sampling location SV-3.

- HPD should instruct the applicant that as per the updated *City Environmental Quality Review Technical Manual* (2021 Edition), a minimum of two soil samples should be collected from each test boring/probe. One shallow soil sample should be collected from

the upper two feet of soil (typically the 0-2 feet bgs interval). A second soil sample should be collected from the two-foot interval below the proposed maximum excavation depth(s). If groundwater or bedrock is encountered at a shallower depth than the proposed maximum excavation depth during borehole advancement, the subsurface soil sample should be collected from the two-foot interval above the groundwater interface or bedrock. Soil borings must be screened for evidence of gross contamination (based on visual/olfactory evidence of impacts and/or elevated soil screening readings obtained using accepted field instruments). Where screening indicates contamination at an intermediate interval(s) in a soil boring, i.e. between 2 feet bgs and the proposed maximum excavation depth, an additional soil sample(s) should be collected for analysis. If groundwater is encountered in a test boring/probe within five feet of surface grade, only one sample per boring may be warranted as long as adequate upgradient and downgradient groundwater samples are collected. Soil samples collected should be discrete (grab) samples.

- HPD should instruct the applicant that soil vapor sampling should typically be performed, at a minimum, to the two-foot interval below the depth of the project excavation or 1-2 feet above the water table in areas where the groundwater table is encountered at a shallower depth.

- HPD should instruct the applicant that a minimum of two (2) additional soil vapor implants should be installed on the subject property and soil vapor samples should be collected for laboratory analysis. The additional soil vapor implants should be installed near proposed soil borings SB-3 and SB-4.

- HPD should instruct the applicant that where the water table is less than 30 feet beneath the deepest level of the proposed on-site basement/cellar, groundwater samples should be collected for laboratory analysis.

- HPD should instruct the applicant that a minimum of one (1) additional temporary groundwater monitoring well should be installed on the subject property and a representative groundwater sample should be collected for laboratory analysis.

HASP

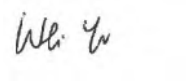
- HPD should instruct the applicant to include a highlighted route (including map) to the nearest hospital in the HASP.

- HPD should instruct the applicant to include a legible accident and injury report form in the HASP.

- HPD should instruct the applicant that as a standard requirement, the HASP should include VOCs, SVOCs, pesticides, PCBs, and heavy metals (specifically arsenic, lead, and mercury) as potential chemicals of concern. All associated information fact sheets or safety data sheets for these potential chemicals of concern that have not been included should be included in the HASP.

HPD should instruct the applicant that a revised Phase II Work Plan and HASP should be submitted for DEP review and approval prior to the start of any fieldwork. Future correspondence and submittals related to this project should include the following CEQR # **23HPD093X**. If you have any questions, you may contact Scott Davidow, P.G. at (718) 595-7716.

Sincerely,



Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
S. Davidow
T. Estesen
M. Wimbish
S. Owrang - HPD

Environmental Protection

Rohit T. Aggarwala
Commissioner

Angela Licata
Deputy Commissioner
Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
alicata@dep.nyc.gov

September 21, 2023

Anthony Howard
Director, Environmental Planning
New York City Department of Housing Preservation and Development
100 Gold Street
New York, NY 10038

Re: Claremont House
1640 Anthony Avenue
Block 2888, Lots 21, 23, 25, part of Lots 28, 50, and 58
CEQR # 23HPD093X

Dear Mr. Howard:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the August 2023 Phase II Environmental Site Investigation Work Plan (Work Plan) and Health and Safety Plan (HASP) prepared by ALC Environmental on behalf of Claremont Homeownership LLC (applicant) for the above referenced project. It is our understanding that the applicant is seeking several discretionary approvals, including: (1) a zoning map amendment to rezone an approximately 14,966 square foot (sf) portion of Block 2888, including Lots 21, 23, 25, p/o 28, 50, and 58 (Rezoning Area) from R7-1 to R8; (2) a zoning text amendment to map a Mandatory Inclusionary Housing Area over the proposed Rezoning Area; (3) site disposition of City-owned Lots 23 and 25 on Block 2888; (4) Urban Development Action Area designation and Urban Development Action Area Project approval of Lots 23 and 25; and (5) a Mayoral Zoning Override. In addition, discretionary funding, including New York City Department of Housing Preservation and Development's Open Door program and funding from New York State Division of Housing and Community Renewal (Proposed Actions), would be sought to facilitate the proposed affordable housing development in the Claremont neighborhood of Bronx Community District 4. The Projected Development Site (Block 2888, Lots 23 and 25) at 1640 Anthony Avenue would be developed with a new 13-story, 81,818 gross square feet (gsf) residential building and would consist of 66 affordable cooperative dwelling units, and 2,060 gsf of residential amenities including a community room, gym, and bicycle storage located in the cellar level, plus a 3,390 sf private rear yard. No additional or new development would be anticipated to occur on the other affected tax lots because of the Proposed Actions.

Projected Development Site (Block 2888, Lots 23 and 25)

The August 2023 Work Plan proposes to advance a total of five soil borings (SB-1 through SB-5) at the Site, to a depth of approximately 14 feet below grade surface (bgs). Two discrete soil samples will be collected from each soil

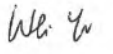
boring and will be submitted for laboratory analysis. A shallow soil sample will be collected at 0 to 2-feet bgs. A deeper soil sample will be collected at 12 to 14 feet bgs or at the two-foot interval above the termination depth of the soil boring or groundwater, if detected. Additional soil samples will be collected at intervals exhibiting elevated readings when screened with a photoionization detector or noted staining or odors as evident by visual and olfactory observations. Three temporary groundwater monitoring wells will be installed at the Site within three selected soil borings. Soil and groundwater samples will be analyzed for volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls by EPA Method 8082, and Target Analyte List metals by EPA Method 6010 and 7471 (filtered and unfiltered for groundwater samples). Five soil vapor samples (SV-1 through SV-5) will be collected at a depth of 12 feet bgs and analyzed for the presence of VOCs by EPA Method TO-15. The HASP addresses worker and community health and safety during remedial investigation activities.

Based upon our review of the submitted documentation, we have the following comments and recommendations to HPD:

DEP finds the August 2023 Phase II Work Plan and HASP for the proposed investigation acceptable. HPD should inform the applicant that upon completion of the investigation activities, the applicant should submit a detailed Phase II report for DEP review and approval. The report should include, at a minimum, an executive summary, narrative of the field activities, laboratory data and conclusions, comparison of soil, groundwater, and soil vapor analytical results (i.e., New York State Department of Environmental Conservation (NYSDEC) 6 NYCRR Part 375, NYSDEC Water Quality Regulations, and the New York State Department of Health's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York), updated site plans depicting sample locations, boring logs, and remedial recommendations, if warranted.

Future correspondence and submittals related to this project should include the following CEQR # **23HPD093X**. If you have any questions, you may contact Scott Davidow, P.G. at (718) 595-7716.

Sincerely,



Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
S. Davidow
T. Estesen
M. Wimbish
S. Owrang – HPD
A. Schaefer – HPD

Environmental Protection

Rohit T. Aggarwala
Commissioner

Angela Licata
Deputy Commissioner
Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
alicata@dep.nyc.gov

July 30, 2024

Alexander Schaefer
Deputy Director, Environmental Planning
New York City Department of Housing Preservation and Development
100 Gold Street
New York, NY 10038

Re: Claremont House
1640 Anthony Avenue
Block 2888, Lots 21, 23, 25, part of Lots 28, 50, and 58
CEQR # 23HPD093X

Dear Mr. Schaefer:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the May 2024 Phase II Environmental Investigation Report (Phase II) prepared by ALC Environmental on behalf of Claremont Homeownership LLC (applicant) for the above referenced project. It is our understanding that the applicant is seeking several discretionary approvals, including: (1) a zoning map amendment to rezone an approximately 14,966 square foot (sf) portion of Block 2888, including Lots 21, 23, 25, p/o 28, 50, and 58 (Rezoning Area) from R7-1 to R8; (2) a zoning text amendment to map a Mandatory Inclusionary Housing Area over the proposed Rezoning Area; (3) site disposition of City-owned Lots 23 and 25 on Block 2888; (4) Urban Development Action Area designation and Urban Development Action Area Project approval of Lots 23 and 25; and (5) a Mayoral Zoning Override. In addition, discretionary funding, including New York City Department of Housing Preservation and Development's Open Door program and funding from New York State Division of Housing and Community Renewal (Proposed Actions), would be sought to facilitate the proposed affordable housing development in the Claremont neighborhood of Bronx Community District 4. The Projected Development Site (Block 2888, Lots 23 and 25) at 1640 Anthony Avenue would be developed with a new 13-story, 81,818 gross square feet (gsf) residential building and would consist of 66 affordable cooperative dwelling units, and 2,060 gsf of residential amenities including a community room, gym, and bicycle storage located in the cellar level, plus a 3,390 sf private rear yard. No additional or new development would be anticipated to occur on the other affected tax lots because of the Proposed Actions.

Projected Development Site (Block 2888, Lots 23 and 25)

During the May 2024 fieldwork, five soil borings were advanced to depths of 15 feet below grade surface (bgs). Two soil samples were collected from each boring and submitted for laboratory analysis. One sample was collected from a depth of approximately 5 to 6 feet bgs a second sample was collected at a

depth of approximately 10 to 12 feet bgs. Three temporary groundwater monitoring wells were installed at three locations to a depth of 25 feet bgs. Although moisture was detected at 15 feet bgs in each of three temporary monitoring wells, no groundwater was measured in any of the wells following a 48-hour equalization period and representative samples were not obtained. Soil samples were analyzed for Target Compound List volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semivolatile organic compounds (SVOCs) by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls (PCBs) by EPA Method 8082, and Target Analyte List metals by EPA Method 6020. Five soil vapor samples were collected and analyzed for VOCs by EPA Method TO-15.

The soil analytical results revealed that VOCs were either non-detect or below their New York State Department of Environmental Conservation (NYSDEC) 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs). Several SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene), several pesticides (dieldrin, 4,4'-DDD, 4,4'-DDE, and 4,4'-DDT), total PCBs, and several metals (arsenic, barium, cadmium, copper, lead, zinc, and mercury) were detected above their NYSDEC 6 NYCRR Part 375 Unrestricted Use SCOs, Residential Use SCOs, Restricted Residential SCOs and/or Commercial Use SCOs.

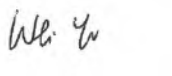
The soil vapor analytical results revealed that several VOCs (1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2-butanone, 2-hexanone, acetone, benzene, carbon disulfide, chloroform, dichlorodifluoromethane, ethylbenzene, isopropanol, methylene chloride, n-heptane, n-hexane, o-xylene, p&m-xylenes, p-ethyltoluene, propylene, styrene, toluene, and trichlorofluoromethane) were detected.

Based upon our review of the submitted documentation, we have the following comments and recommendations to HPD:

- Based on the contamination identified, DEP recommends that an (E) Designation for hazardous materials should be placed on the Projected Development Site pursuant to Section 11-15 of the New York City Zoning Resolution. The (E) Designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance occurs, as well as to ensure the maintenance and oversight of any required engineering controls through oversight by the Mayor's Office of Environmental Remediation (OER). Further hazardous materials assessments should be coordinated through OER. OER may have additional requirements. The Environmental Assessment Statement should also be revised as appropriate to incorporate the placement of the (E) Designation.

Future correspondence and submittals related to this project should include the following CEQR # **23HPD093X**. If HPD has any questions, you may contact Scott Davidow, P.G. at (718) 595-7716.

Sincerely,



Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
S. Davidow
T. Estesen
M. Wimbish
A. Howard – HPD
M. Bertini – OER

APPENDIX II

PHASE I ENVIRONMENTAL SITE ASSESSMENT

EXECUTIVE SUMMARY

1.0 EXECUTIVE SUMMARY

ALC Environmental (ALC) was contracted by Philip Habib & Associates, the Client, to conduct a Phase I Environmental Site Assessment (ESA) of the property located at 1640-1642 Anthony Avenue, Bronx, NY 10457 (the **"Subject Property"**). The Subject Property consists of two adjacent vacant lots totaling approximately 0.229 acres in size. Below is a description of the subject lots:

Address	Block	Lot	Acreage
1640 Anthony Avenue	2888	23	0.118
1642 Anthony Avenue	2888	25	0.111

The Subject Property is located on the eastern side of Anthony Avenue, between East 173rd Street to the north and Belmont Street to the south.

The objective of this assessment was to evaluate past and current environmental conditions at the Subject Property and to identify any potential areas of environmental concern or recognized environmental conditions that could affect the environmental integrity of the property. This Phase I ESA was performed in general conformance with the scope and limitations of the ASTM International Practice E1527-13.

On July 19, 2022, ALC's Field Technician Melissa Basile conducted a site reconnaissance at the Subject Property. The information included in this report was gathered from state and municipal offices and officials, site interviews, the environmental database search, and from the site inspection.

The Subject Property is located in the Claremont section of the NYC Borough of the Bronx. The general vicinity of the property consists of apartment buildings, a daycare facility, automotive service facilities, and a public park (Claremont Park). Below is a summary of the Phase I ESA findings:

	Acceptable	Corrective Action	Further Investigation	Reference Section
USER PROVIDED INFORMATION				
Environmental Cleanup Liens	✓			**4.2**
Activity & Land Use Limitations (AULs)	✓			**4.3**
Specialized Knowledge or Experience	✓			**4.3**
Relationship of Purchase Price to Fair Market Value	✓			**4.0**
Commonly Known or Reasonable Ascertainable Information	✓			**4.0**
Degree of Obviousness	✓			**4.0**

	Acceptable	Corrective Action	Further Investigation	Reference Section
RECORDS REVIEW				
Standard Environmental Record	✓			7.0
Physical Setting Records	✓			
HISTORICAL USE INFORMATION				
Subject Property	✓			5.3
Adjoining Properties	✓			5.3
Surrounding Areas	✓			5.3
GENERAL SITE SETTING				
Current Use(s) of the Subject Property	✓			3.3
Current Use(s) of Adjoining Properties	✓			3.5
Current or Past Use of the Surrounding Area	✓			5.3
Surficial & Subsurface Physical Conditions	✓			6.0
INTERIOR & EXTERIOR OBSERVATIONS				
Lead-Based Paint	✓			6.3.1
Asbestos Containing Materials	✓			6.3.2
Hazardous Substance & Petroleum Products	✓			6.3.3
Storage Tanks	✓			6.3.4
Solid Waste	✓			6.3.5
Odors	✓			6.3.6
Hazardous Waste	✓			6.3.6
Vapor Encroachment			✓	6.3.7
Polychlorinated Biphenyls (PCBs)	✓			6.3.8
Wastewater	✓			6.3.9
Wetlands	✓			6.3.10
Flood Maps	✓			6.3.11
Radon	✓			6.3.12
Air Emissions	✓			6.3.13

	Acceptable	Corrective Action	Further Investigation	Reference Section
INTERIOR & EXTERIOR OBSERVATIONS				
Stressed Vegetation	✓			**6.3.14**
Stains or Corrosion	✓			**6.3.16**
Heating/Cooling	✓			**6.3.15**
Stains or Corrosion	✓			**6.3.16**
Drains & Sumps	✓			**6.3.17**
Mold	✓			**6.3.18**

1.1 SUMMARY OF FINDINGS

RECOGNIZED ENVIRONMENTAL CONDITIONS

A recognized environmental condition (REC) is defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property 1) due to a release of any hazardous substances or petroleum products; 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment. The following was identified during the course of this assessment:

- The following RECs associated with the Subject Property were identified during the course of this assessment:
  - According to the Fire Insurance (Sanborn) maps reviewed, a metal works facility operated at the adjoining eastern property (164-1651 Webster Avenue) in 1950. Typical hazardous wastes associated with metal works facilities include heavy metal wastewater sludges and spent solvents. It is unknown how long the metal works facility operated. However, based on the lack of waste disposal regulations prior to the 1970s, the former metal works facility at this location is considered a REC.
  - As per the historical Sanborn maps and city directories reviewed, automotive repair shops have operated at the adjoining eastern property (1645-1651 Webster Avenue) from as early as 1950. Bentley´s Autoworks was listed in the 2014 and 2017 city directories. Per ALC´s observations and signage on the main entrance, this facility is now named UK Import Motors- Independent Land Rover Service and is still in operation. Typical hazardous wastes associated with automotive service/repair activities include spent solvents, waste oil, and other spent auto fluids. Based on the lack of waste disposal regulations prior to the 1970s, the historical automotive repair shops at this location are considered a REC.
  - As per the historical Sanborn maps and city directories reviewed, a commercial garage (identified as S&L Garage) was present at the adjoining eastern property (1665 Webster Avenue) between at least 1927 and 1950. The 1950 Sanborn map depicted an underground 1,000-gallon gasoline tank in the northern portion of the garage. Based on the long-term use of this property for automotive repair/service purposes, the presence of an underground gasoline tank, and the lack of environmental regulations before the 1970s, the former commercial garage at this location is considered a REC.

HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITION

An historical recognized environmental condition (HREC) is defined as an environmental condition which in the past would have been considered a *recognized environmental condition*, but which may or may not be considered a *recognized environmental condition* currently. The final decision rests with the environmental professional and will be influenced by the current impact of the historical recognized environmental condition on the property.

- No HRECs associated with the Subject Property were identified during the course of this assessment.

CONTROLLED RECOGNIZED ENVIRONMENTAL CONDITION

Controlled recognized environmental conditions (CRECs) refer to sites that have achieved regulatory closure, where no further remediation is required but residual contamination still exists and the site is subject to some sort of control or use restrictions.

- No CRECs associated with the Subject Property were identified during the course of this assessment.

HISTORICAL REVIEW

- As per the historical and municipal records reviewed, the Subject Property was previously improved with two adjoining 5-story multi-family apartment buildings with basements, constructed circa 1910. The referenced buildings were razed in 1979, and the Subject Property has remained vacant until the present. No other prior uses were identified.

ENVIRONMENTAL DATABASE FINDINGS

- The Subject Property was listed in the following regulatory databases searched by Environmental Data Resources, Inc. (EDR): RCRA-NonGen/NLR, FINDS, ECHO, and NY MANIFEST
    - The RCRA-NonGen/NLR (Non-Generators/No Longer Regulated), FINDS (Facility Index System), and ECHO (Enforcement and Compliance History Online) listings are associated with Consolidated Edison Service Box: 2142. The RCRA-NonGen/NLR listing indicates that this location was classified as a non-generator in 2014 and the FINDS database references the RCRA-NonGen/NLR listing. The ECHO database is administered by the USEPA and provides integrated compliance and enforcement information for over 900,000 regulated facilities nationwide. There are no reported violations associated with the Subject Property.
    - The NY MANIFEST listing is also associated with Consolidated Edison activities and pertains to 2,000 pounds of lead wastes that were removed from this site for offsite disposal in 2014. There are no reported violations.

STORAGE TANKS/PIPELINES

- No underground or aboveground storage tanks, fuel oil fill pipes, or access ways indicative of underground storage tanks were observed at the Subject Property during the site visit or identified from the records reviewed.

ASBESTOS CONTAINING MATERIALS

- The Subject Property consists of a vacant lot and therefore no asbestos-containing materials

are present.

LEAD-BASED PAINT

- The Subject Property consists of a vacant lot with no permanent structures. Therefore, lead-based paint is not applicable.

MOLD

- The Subject Property consists of a vacant lot and therefore mold is not applicable.

VAPOR ENCROACHMENT

- Based on the historical presence of a commercial garage and automotive repair shops adjacent to the east, a Vapor Encroachment Condition (VEC) at the Subject Property cannot be ruled out. The EDR Vapor Encroachment Screen report is included in Appendix 15.5.

APPENDIX III

INVESTIGATION WORK PLAN

AND

HEALTH AND SAFETY PLAN

1.0 General Site Information

Site Location: 1640-1642 Anthony Avenue
City/Town: Bronx
County: Bronx
State: New York

1.1 Site Description and Project Background

On behalf of Habitat for Humanity NYC and Westchester, ALC Environmental (ALC) has prepared this Phase II Environmental Site Investigation (ESI) Work Plan in response to a Phase I Environmental Assessment (ESA) Report prepared by ALC on behalf of Philip Habib & Associates, dated September 9, 2022.

The property is located at 1640-1642 Anthony Avenue in the Bronx County of New York City and is identified by the New York City Department of Finance as Block 2888 and Lots 23 & 25 (collectively referred to as the **"Site"**). The Site is located on the eastern side of Anthony Avenue, between East 173rd Street to the north, Webster Avenue to the west, and Belmont Street to the south. The Site location is shown in **Figure 1**.

The Work Plan is based on the Recognized Environmental Conditions (RECs) identified in the Phase I ESA. The Site consists of two adjoining vacant lots totaling approximately 0.229 acres in size and is secured by chain-link fencing along the western border and contain trees and patches of vegetation, with construction debris (mainly bricks) along the southern border of the property. Phase I ESA, the Site identified that the property was previously improved with two adjoining five-story multi-family apartment buildings with basements, constructed circa 1910. The referenced buildings were razed in 1979, and the Site has remained vacant until the present. No other prior uses were identified.

The zoning for this property is listed by the NYC Planning Commission as R7-1: Residential. The general vicinity of the property consists primarily of multi-family apartment buildings, a daycare facility, automotive repair shops, and a public park (Claremont Park). The site is bounded immediately to the north by one five-story multi-family apartment building; to the east by one single-story multi-tenant industrial building occupied by UK Import Motors-Independent Land Rover Service, and Bravo Automotive (auto body shop); to the south by one two-story commercial building occupied by Labor Bathgate Community- Child Care Center, Inc.; and to the west by Anthony Avenue, followed by vacant land and Claremont Park. No heavy manufacturing or industrial land usage was observed in the immediate proximity to the Site. The zoning and land use map for the Site is shown in **Figure 2.**

The Site is planned to be redeveloped as an eight-story affordable housing building comprising 66 residential units with one residential unit designated for the Building Superintendent. The basement of the building will house a community room, a fitness center, bicycle storage, utilities and a recycling and refuse area. The proposed building plans for the Site is presented in **Appendix A.**

This Limited Phase II ESI will consist of a subsurface soil and groundwater investigation that will be performed in accordance with the New York State Department of Environmental Conservation (NYSDEC) Technical Guidance for Site Investigation and Remediation Division of Environmental Remediation-10 (DER-10) and the City Environmental Quality Review (CEQR) Technical Manual (December 2021), Hazardous Materials Chapter, to adequately assess and identify any potential subsurface conditions of environmental concern at the Site.

The soil vapor intrusion investigation will be performed in accordance with New York State Department of Health (NYSDOH), Center of Environmental Health, Bureau of Environmental Exposure Investigation. (October 2006).

The Phase II ESI will adequately characterize the subsurface soils, groundwater and soil vapor as well as that may potentially impact the Site.

1.2 Identified Recognized Environmental Conditions (RECs)

A Phase I Environmental Site Assessment (ESA) was performed by ALC and dated September 9, 2022, identified the following Recognized Environmental Conditions (REC) associated with the Site:

- According to the Fire Insurance (Sanborn) maps reviewed, a metal works facility operated at the adjoining eastern property (164-1651 Webster Avenue) in 1950. Typical hazardous wastes associated with metal works facilities include heavy metal wastewater sludges and spent solvents. It is unknown how long the metal works facility operated, however, based on the lack of waste disposal regulations prior to the 1970s, the former metal works facility at this location is considered a REC.
- The historical Sanborn maps and city directories reviewed indicated that automotive repair shops have operated at the adjoining eastern property (1645-1651 Webster Avenue) from as early as 1950. Bentley´s Autoworks was listed in the 2014 and 2017 city directories. Per ALC´s observations and signage on the main entrance, this facility is now named UK Import Motors - Independent Land Rover Service and is still in operation. Typical hazardous wastes associated with automotive service/repair activities include spent solvents, waste oil, and other spent auto fluids. Based on the lack of waste disposal regulations prior to the 1970s, the historical automotive repair shops at this location are considered a REC.
- The historical Sanborn maps and city directories that were reviewed, showed that a commercial garage (identified as S&L Garage) was present at the adjoining eastern property (1665 Webster Avenue) between at least 1927 and 1950. The 1950 Sanborn map depicted an underground 1,000-gallon gasoline tank in the northern portion of the garage. Based on the long-term use of this property for automotive repair/service purposes, the presence of an underground gasoline tank, and the lack of environmental regulations before the 1970s, the former commercial garage at this location is considered a REC.

2.0 Scope of Work

The objective of the proposed Phase II ESI is to evaluate potential impacts associated with the historical uses of the adjoining eastern property for automotive maintenance/repair purposes and metal works facility. This Limited Phase II ESI has been developed based on the findings of the Phase I ESA. isSoil and groundwater sampling procedures of this investigation will be performed in accordance with the New York State Department of Environmental Conservation (NYSDEC) Draft DER-10: Technical Guidance for Site Investigation and Remediation (December 2002) and the City Environmental Quality Review (CEQR), Chapter 12, Hazardous Materials, Technical Manual (December 2021). Soil vapor sampling will be conducted in accordance with the New York State Department of Health (NYSDOH) Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006). The following sampling and investigation activities will be performed at the Site:

- Geophysical Survey
- Soil vapor sampling and laboratory analysis
- Soil sampling and laboratory analysis
- Groundwater sampling and laboratory analysis
- Environmental Site Investigation Report

2.1 Geophysical Survey

A geophysical survey utilizing Ground Penetrating Radar (GPR) will be performed throughout the Site, at accessible locations to investigate the presence of potential underground storage tanks (USTs), buried utilities or various metal objects. Ground penetrating radar (GPR) is a geophysical method that uses radar pulses to image the subsurface.

This non-intrusive method of surveying the sub-surface is useful to locate underground utilities, metals, pipes, cables, masonry or Underground Storage Tanks (USTs). The radar uses electromagnetic radiation in the microwave band (UHF/VHF frequencies of the radio spectrum and detects reflected signals from subsurface structures or UST, if present. A GPR consists of a transmitter with an antenna that emits electromagnetic energy into the ground.

When the energy encounters a buried object or a boundary between materials having different material properties, the electromagnetic waves may be reflected or refracted or scattered back to the surface. A receiving antenna can then record the variations in the return signal. The transmitter consists of a box fasten to a wheeled cart suspended inches off of the ground surface.

2.2 Soil Vapor Sampling

Six (6) Soil vapor sampling points (SV-1 through SV-5) are proposed for this Site with soil vapor samples collected at two discrete depths at SV-4. The soil vapor samples will be collected from beneath the proposed excavation depth for the building foundation. The air samples will be collected in 6-Liter SUMMA canisters equipped with 4-hour regulators. The canisters are of stainless-steel construction and are placed under a vacuum from the laboratory performing the analysis. The regulators will allow the canisters to fill with air over a 4 - hour sampling period. The initial and final vacuum readings will be recorded along with the canister and flow regulator number for each sample. Once the canisters are collected, each canister will be placed under a chain of custody protocol between their collection and their delivery to York Analytical Laboratory, a certified laboratory in the New York State Environmental Laboratory Program (ELAP). The air samples will be analyzed for the presence of volatile organic compounds (VOCs) via United States Environmental Protection Agency (USEPA) Method TO-15.

The proposed excavation depth of the basement for the Claremont House is 11 feet below ground surface.(ft. bgs). The soil vapor samples will be collected at a depth of 12 ft. bgs. An additional soil vapor sample will be collected at the SV-2 location. This sample will be collected at a depth of four to five ft. bgs and given the sample designation number of SV-6. If groundwater is encountered during the boring advancement, the soil vapor probe will be installed two feet above the groundwater interface. The soil vapor points will be installed to the required depths through the use of direct push drilling technologies. The stainless steel mesh screens will be threaded onto an expandable point once the desired sampling depth is reached. The annular space around the intake screen of the vapor implant will be filled with a graded gravel. The polyethylene tubing will be attached to the vapor implant and extend approximately two feet above the ground surface. Hydrated bentonite clay will be used to provide a seal between the inlet screen of the vapor point and the ground surface. A Photo Ionization Detector (PID) will be used to screen the sub sab air to check for the presence of Volatile Organic Compounds (VOCs). To ensure that there is no cross connection between the sub slab sampling points and the ambient air, an inverted bucket will be set over the sampling point and the polyethylene tubing from the vapor implant will be passed through hole drilled in the top of the bucket. Helium will be used as a tracer gas to enrich the air inside the bucket. A portable air sampling pump will be used to remove several volumes of air from the subsurface and collect a sample of air from the vapor point into a tedlar bag. The helium detector will be used to measure the concentration of helium in the tedlar bag, a reading of less than 10 percent of the concentration of helium in the tedlar bag certifies a good seal between the soil vapor and the ambient air. The collected soil vapor samples will be analyzed for VOCs via the United States Environmental Protection Agency (USEPA) test method, TO-15 for VOCs. The sample results will be compared to the NYSDOH Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006) guidelines. A determination of the institution of engineering controls will be based on the NYSDOH May 2017 decision matrices. The location of the proposed soil vapor sampling locations and depths is shown in **Figure 3.**

2.3 Subsurface Soil Investigation

A total of five (5) soil borings (SB-1 through SB-5) will be advanced at the Site, to a proposed depth of 14 ft. bgs. The proposed soil boring locations are shown in **Figure 4**.

The soil borings will be advanced utilizing direct push technology drilling methods. Continuous soil samples will be collected using a Macro Core Sampler ™ between the ground surface and the termination depth of the soil boring, 14 ft. bgs or at refusal due to bedrock. The Macro core sampler will be fitted with new plastic liners prior to the collection of each soil core. The exterior of the soil sampler will be cleaned with a laboratory grade soap and rinsed with potable water between each soil boring location. Two (2) discrete soil samples will be collected from each soil boring and will be submitted for laboratory analysis. A shallow soil sample collected at 0 to 2-ft bgs. A deeper soil sample will be collected at 12 to 14 ft. bgs or at the two foot interval above the termination depth of the soil boring or groundwater, if detected Additional soil samples will be collected at intervals exhibiting elevated readings when screened with a PID or noted staining or odors as evident by visual and olfactory observations.

Upon retrieval of the soil cores the recovered soil samples will be screened for the presence of VOCs using a calibrated PID and inspected for signs of contamination through visual and olfactory means. The on-site geologist will prepare a soil boring log of the encountered soils utilizing the Unified Soil Classification System, all PID readings and any visual or olfactory observations.

The soil samples will be submitted to a NYSDOH Environmental Laboratory Accreditation Program (ELAP)-certified laboratory for full analysis of:

- Volatile Organic Compounds (VOCs) by EPA Method 8260D;
- Semi-volatile organic compounds (SVOCs) by USEPA Method 8270E;
- Methyl-tert-butyl ether (MTBE) by USEPA Method 8260D or 8270E;
- Total Cyanide by USEPA Method SW-9016,
- TAL (Total Analyte List) Metals by USEPA Method 6010 and 7471; and
- Pesticides/ Polychlorinated biphenyls (PCBs) by USEPA Method 8081B/ 8082A

Soil sample results will be compared to the NYSDEC 6 NYCRR Part 375-6 Remedial Program Soil Cleanup Objectives (SCOs).

2.4 Groundwater Sampling

Based on the geologic information gathered during the soil boring program of the Limited Phase II ESI, three (3) temporary groundwater monitoring wells will be installed if groundwater is detected at a depth of less than 40 ft. bgs, within 30 feet of the proposed excavation depth of the building foundation.

The temporary groundwater monitoring wells will be constructed of one-inch diameter flush joint threaded polyvinyl chloride (PVC) well screen and well casing. The groundwater monitoring well screen will be ten feet in length and set so that it straddles the piezometric groundwater surface. The proposed groundwater sampling locations are shown in **Figure 4.**

The depth to groundwater will be measured to the nearest 0.01 foot using an electronic water level meter or an interface probe. If a light non-aqueous phase liquid (LNAPL) is observed, the thickness of the LNAPL will be measured and recorded on the soil boring log forms and the NYSDEC will be notified of this discovery. The elevation of the top of each groundwater monitoring well will be surveyed to the nearest 0.01 foot (NAVD 1988) so that a groundwater elevation and flow direction map can be constructed.

One (1) representative groundwater sample will be collected from each temporary well with a peristaltic pump and dedicated tubing or by the use of a inertial pump with new tubing . Prior to collecting a representative groundwater sample, the groundwater will be purged from each well until a relatively turbid free discharge is achieved. The representative groundwater sample will be cooled to 4°C, and placed under a chain-of-custody protocol between their collection and their custody by the NYSDOH ELAP-certified laboratory performing the analysis. The collected groundwater samples will be analyzed for:

- VOCs by EPA Method 8260D;
- SVOCs by EPA Method 8270DE
- TAL Metals by EPA Method 6010 and 7471;
- Total Cyanide by EPA Method SW-9016 and
- Pesticides/PCBs by EPA Method 8081B/8082A

Groundwater samples collected for TAL metals will be analyzed for both dissolved (filtered) and total (unfiltered) metals.

2.5 Quality Assurance and Quality Control (QA/QC) Samples

In order to provide an assessment of the accuracy of the analytical results, additional QA/QC samples will consist of a blind replicate sample and a field blank for the soil and groundwater samples that will be collected and submitted for analysis. A trip blank will also be submitted for analysis. The additional QA/QC samples will consist of two blind replicate samples, one for the soil and one for the groundwater sample, if collected. The blind replicate samples will be collected from one of the predetermined sampling zones or temporary groundwater monitoring well and given another sample designation.

The purpose of this sample is to determine the accuracy of the analytical results of the environmental media sampled.

In addition, two field blanks will be collected, one for the soil and one for the groundwater samples. The field blanks will indicate if the sampling equipment used is a potential source of any of the contaminants detected the analytical results. A trip blank will be made up in the laboratory, comprising two 40 - milliliter vials filled with deionized water. The vials accompany the sample bottles from the laboratory to the field, and back to the laboratory and will be analyzed for VOCs only.

3.0 Site Remediation

Upon completion of the soil vapor intrusion sampling, the polyethylene tubing will be removed from the ground and any depressions will be filled in with soil or gravel.

Upon completion of the soil borings, clean soil or gravel will be used to fill in any voids or depressions left by the removal of the soil samples.

4.0 Environmental Site Investigation Report

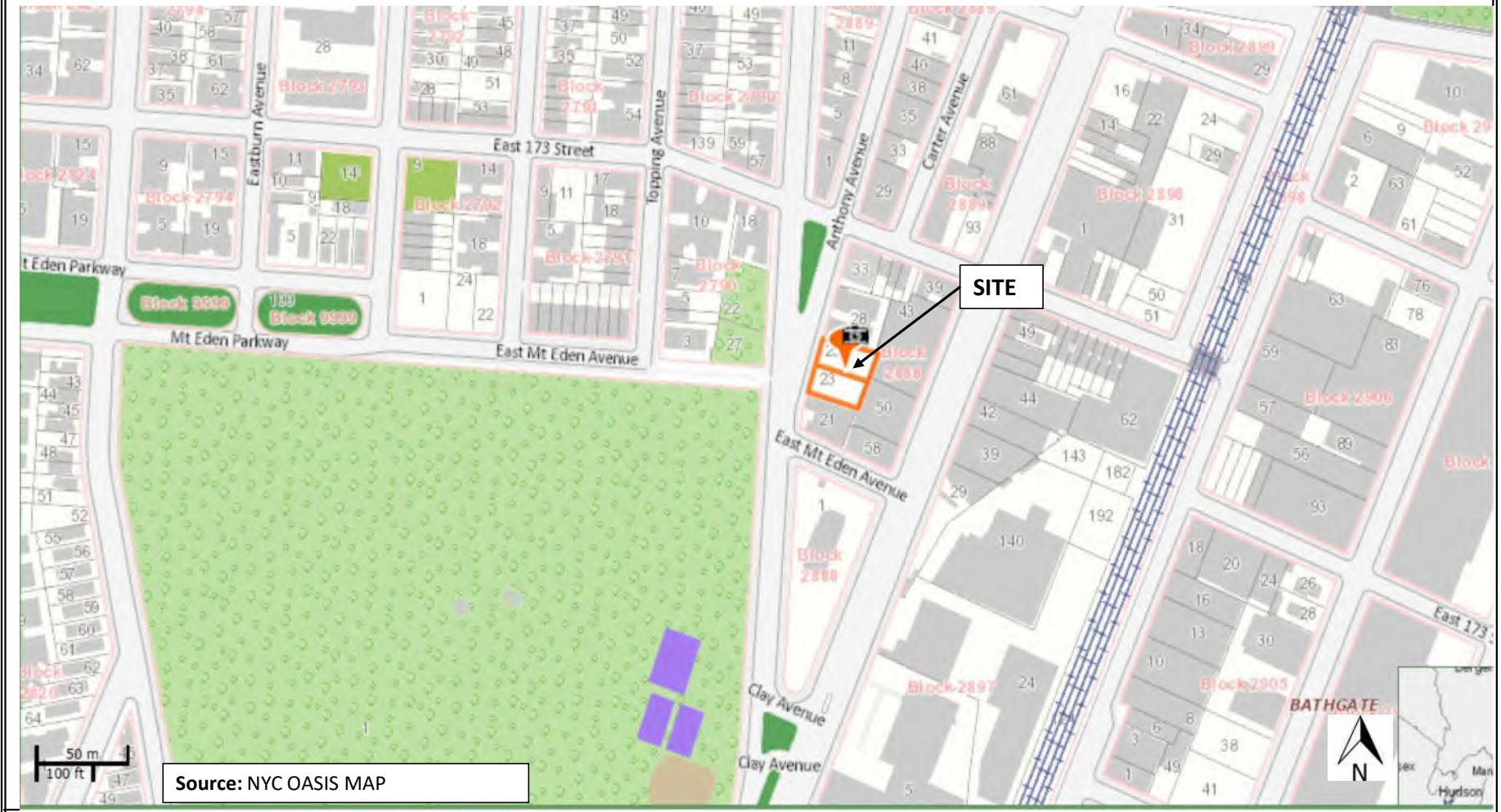
An Environmental Site Investigation Report will be prepared upon completion of the field investigation and after receipt of the analytical results from the reporting laboratory. The report will include a technical overview of the work performed, a Site plan, findings and analytical results along with a summary table of the analytical results, and the laboratory analytical report with the chain of custody record. The report will present conclusions and recommendations, as required.

5.0 Health and Safety Plan (HASP)

The Phase II ESI will be conducted in accordance with the site-specific Health and Safety Plan (HASP). The HASP has been prepared in accordance with applicable Occupation Safety and Health Administration (OSHA) requirements under 29 Code of Federal Regulations (CFR) Part 1910.120 and will be implemented during the planned Site redevelopment activities to protect community residents and on-site workers. Descriptions of potential hazards at the Site, methods to mitigate such hazards, and appropriate procedures to minimize the potential for injury or exposure to site contaminants during the assessment are outlined in the HASP provided in **Appendix B**.

The Site Safety Coordinator will ensure full compliance with the HASP, in accordance with applicable health and safety laws and regulations. The HASP and emergency telephone numbers will be made available before any work begins.

Figures



ALC ENVIRONMENTAL
CONSULTING | MANAGEMENT | TRAINING

HABITAT FOR HUMANITY NEW YORK CITY & WESTCHESTER
CLARMONT HOUSE 1640-1642 ANTHONY AVENUE BRONX, NY 10457

FIGURE 1
SITE LOCATION MAP

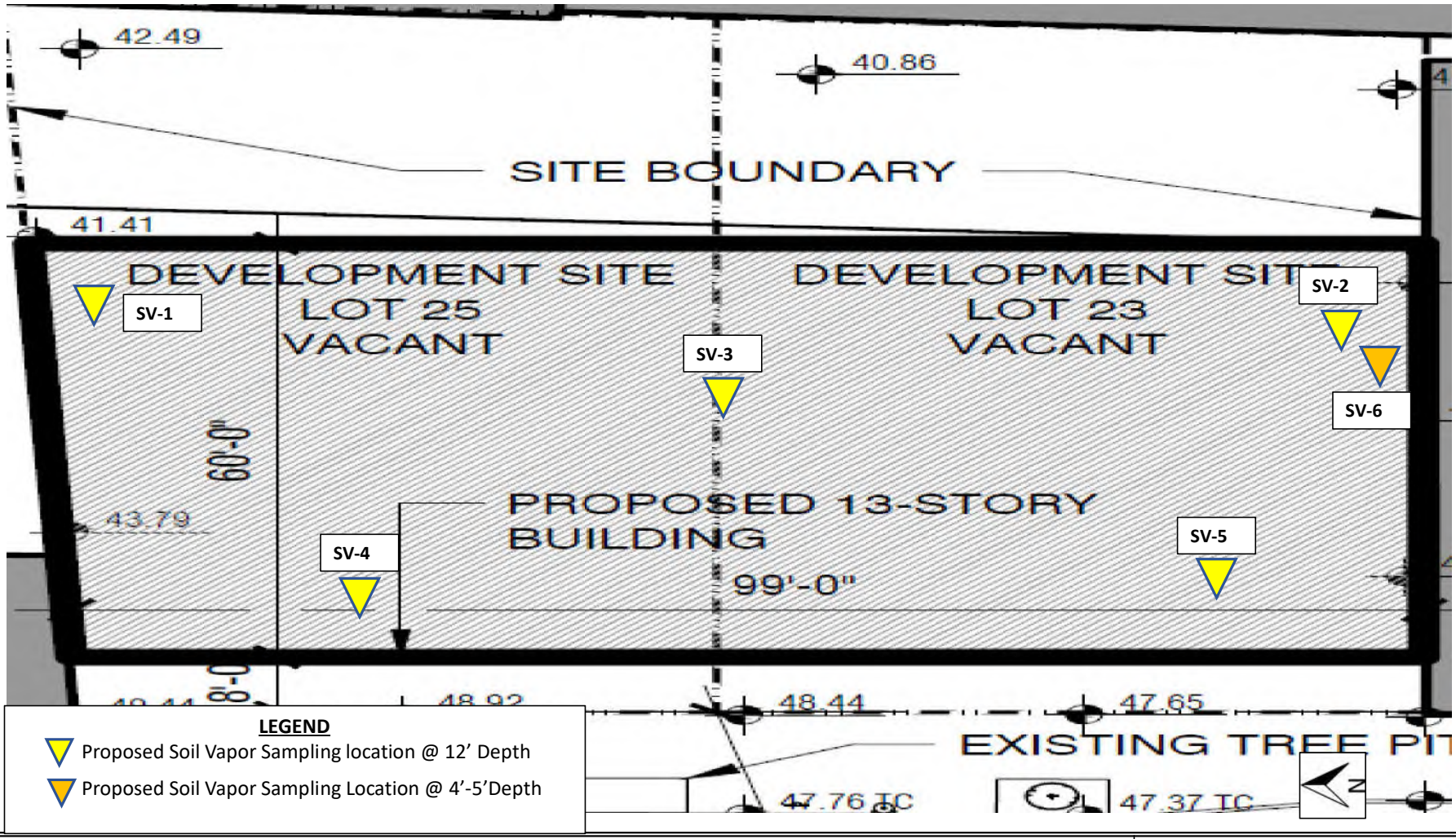


Source: ZoLa – NYC Zoning & Land Use Map

ALC ENVIRONMENTAL
CONSULTING | MANAGEMENT | TRAINING

HABITAT FOR HUMANITY NEW YORK CITY & WESTCHESTER
CLARMONT HOUSE 1640-1642 ANTHONY AVENUE BRONX, NY 10457

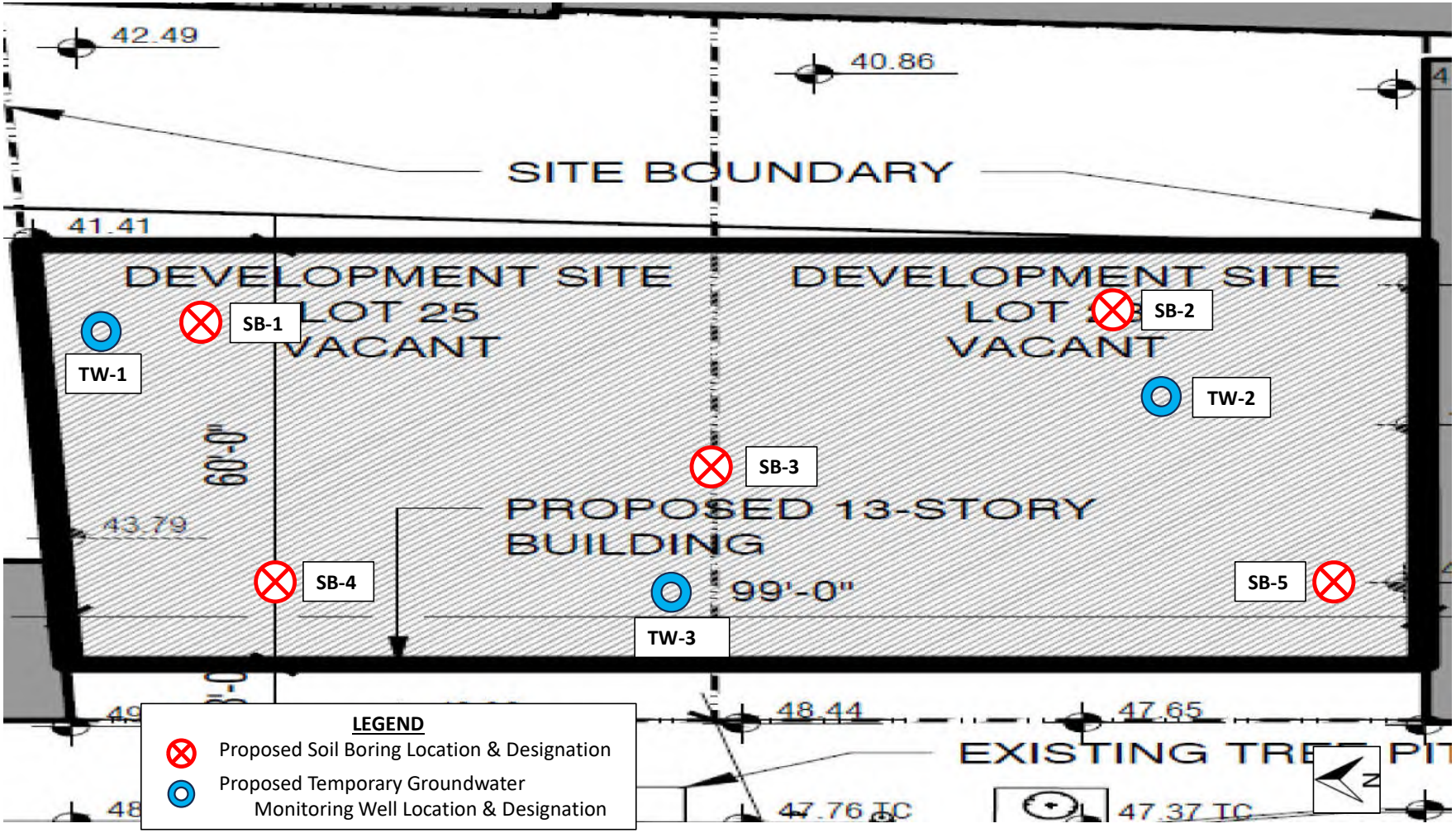
FIGURE 2
LAND USE MAP



ALC ENVIRONMENTAL
CONSULTING | MANAGEMENT | TRAINING

HABITAT FOR HUMANITY NEW YORK CITY & WESTCHESTER
CLARMONT HOUSE 1640-1642 ANTHONY AVENUE BRONX, NY 10457

FIGURE 3
SOIL VAPOR SAMPLING LOCATIONS & DESIGNATIONS



ALC ENVIRONMENTAL
CONSULTING | MANAGEMENT | TRAINING

HABITAT FOR HUMANITY NEW YORK CITY & WESTCHESTER
CLARMONT HOUSE 1640-1642 ANTHONY AVENUE BRONX, NY 10457

FIGURE 4
SOIL BORING AND GROUNDWATER MONITORING WELL LOCATIONS & DESIGNATIONS

APPENDIX IV

PHASE II ENVIRONMENTAL SITE ASSESSMENT

EXECUTIVE SUMMARY

References:

The soil sampling procedures for this investigation was performed in accordance with the New York State Department of Environmental Conservation (NYSDEC) Technical Guidance for Site Investigation and Remediation Division of Environmental Remediation-10 (DER-10): Technical Guidance for Site Investigation and Remediation (December 2002); and the City Environmental Quality Review (CEQR) Technical Manual (December 2021).

Air Guidance Values derived by the New York State Department of Health (NYSDOH) located in the NYSDOH Final Guidance for Evaluating Soil Vapor Intrusion, dated October 2006, updated June 2007 for the soil vapor/indoor air matrices, updated September 2013 for tetrachloroethylene (PCE), and updated August 2015 for trichloroethylene (TCE).

CERTIFICATION

This Phase II Investigation was performed in general conformance with the New York State Department of Environmental Conservation (NYSDEC) Technical Guidance for Site Investigation and Remediation DER-10, (December 2002), the New York State Department of Health (NYSDOH) Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006) and the City Environmental Quality Review (CEQR) Technical Manual (December 2021). This Phase II Site Investigation was performed by:

Shawn Leighton	May 31, 2024	Shawn Leighton
Environmental Scientist ALC Environmental	Date	Signature

I, Brian Mende, CPG, am a Qualified Environmental Professional, as defined in RCNY § 43-1402(ar). I have primary direct responsibility for implementation of the Environmental Site Investigation Report for Claremont House located at 1640-1642 Anthony Avenue, Bronx, NY 10457. I have authored this report, and I am responsible for the content of this Environmental Site Investigation Report. I also have reviewed its contents and certify that this Environmental Investigation Report is accurate to the best of my knowledge and contains all available environmental information and data regarding the property.

Brian Mende, CPG	May 31, 2024	Brian H. Mende
Qualified Environmental Professional ALC Environmental	Date	Signature

I, Brian Mende, am a Qualified Environmental Professional, as defined in RCNY § 43-1402(ar). I have performed the subsurface investigation portion of this Phase II Environmental Site Investigation in general conformance with the New York State Department of Environmental Conservation (NYSDEC) Technical Guidance for Site Investigation and Remediation DER-10 (December 2002).

Brian Mende, CPG	May 31, 2024	Brian H. Mende
Senior Project Manager ALC Environmental	Date	Signature

1.0 EXECUTIVE SUMMARY

ALC Environmental (ALC) was contracted by Habitat for Humanity NYC and Westchester (the Client) to perform a Phase II Environmental Site Investigation (ESI) for the proposed Claremont House located at 1640-1642 Anthony Avenue, Bronx, NY 10457 (the "Subject Property"). The investigation was performed at the request of Habitat for Humanity NYC and Westchester to adequately identify and characterize the subsurface soil quality, subsurface soil vapor, and ambient air quality at the Subject Property prior to planned renovations and construction activities.

The site work was performed in response to a Phase I Environmental Site Assessment (ESA) Report prepared by ALC, dated September 9, 2022, on behalf of Philip Habib & Associates. The Phase II ESI was conducted on May 4, 2024 in accordance with a Limited Phase II ESI Work Plan and Health and Safety Plan (HASP) dated August 4, 2023 prepared by ALC Environmental on behalf of Habitat for Humanity NYC and Westchester for the above referenced project. The New York City (NYC) Department of Environmental Protection (DEP) approved the Work Plan and HASP on September 21, 2023.

The collected soil and soil vapor samples were submitted to York Analytical Laboratories, Inc. (York) for analysis. The soil samples were analyzed in accordance with testing procedures established by the United States Environmental Protection Agency (USEPA) for Volatile Organic Compounds (VOCs), Semi Volatile Organic Compounds (SVOCs), Target Analyte List (TAL) Metals, Polychlorinated Biphenyls (PCBs) and Pesticides. The soil vapor samples were analyzed for VOCs via USEPA Test Method TO-15.

Subsurface Soil Investigation

Five soil borings, SB-1 through SB-5, were advanced at the Subject Property, a fenced-in vegetated lot between Anthony Avenue to the west and an apartment building facing Webster Avenue to the east.

The soil samples were collected utilizing direct push drilling technologies. A Geoprobe with a five-fool long Macro Core™ sampler fitted with new plastic inner sleeves was used to collect the soil samples at each soil boring location. Two soil samples were collected from each soil boring location, a shallow soil sample, at a depth of approximately 5 to 6 feet below the ground surface (bgs) and a second sample collected at a depth of approximately 10 to 12 feet bgs. It should be noted that insufficient recoveries were present to allow for the collection of a replicate / duplicate sample.

The table below presents an exceedance summary of the soil samples.

Table 1
Summary of Compounds / Soil Sample Exceedances Reported

Compound	UU SCO	RR SCO	RC SCO	Total Exceedances/ Samples	Concentration Range (mg/kg)	Exceedance Range (mg/kg)
Benzo(a)anthracene	1	1	5.6	8/10	0.467 – 23.70	1.31 – 23.70
Benzo(a)pyrene	1	1	1	8/10	0.51 – 19.50	1.38 – 19.50
Benzo(b)fluoranthene	1	1	56	7/10	0.412 - 25.40	1.77 - 25.40
Benzo(k)fluoranthene	0.8	1	5.6	8/10	0.391 – 9.25	0.947 – 9.25
Chrysene	1	1	56	8/10	0.421 – 24.30	1.15 – 24.30
Dibenzo(a,h)anthracene	0.33	0.33	0.56	7/10	ND – 1.98	0.41 – 1.98
Indeno(1,2,3-cd)pyrene	0.5	0.5	5.6	8/10	0.367 – 14.50	0.879 – 14.50
4,4'-DDD	0.0033	2.6	92	6/10	ND – 0.0319	0.00383 – 0.0319
4,4'-DDE	0.0033	1.8	62	7/10	ND – 0.0892	0.00644 – 0.0892
4,4'-DDT	0.0033	1.7	47	7/10	ND – 0.287	0.0153 – 0.287
Arsenic	13	16	16	1/10	ND – 15.50	15.50
Barium	350	350	400	6/10	87 – 3,200	579 – 3,200
Cadmium	2.5	4.3	9.3	1/10	ND – 9.87	9.87
Copper	50	270	270	1/10	14.80 - 138	138
Lead	63	400	1000	8/10	42.40 – 2,390 (B)	134 – 2,390 (B)
Zinc	109	2200	10000	8/10	57.40 – 10,200	174 – 10,200
Mercury	0.18	0.81	2.8	5/10	ND – 0.917	0.195 – 0.917

Notes:
ND – Not Detected
NS – No Standard
NE – No Exceedance
SCO – Soil Cleanup Objectives as per NYSDEC Part 375
UU – Unrestricted Use
RR – Restricted Use - Residential
RC – Restricted Use – Commercial

Table 1 above summarizes the exceedances identified in the soil samples obtained. The results of soil analysis revealed that VOCs were not detected above the Unrestricted Use SCO in any of the soil samples. Three VOC compounds were detected including Acetone, Methyl Acetate and Styrene. Acetone was detected in one soil sample, SB 5 (5.5'-6.5'),

Methyl Acetate in two samples, SB4 (5.5'-6.5') and SB 5 (5.5'-6.5'), and Styrene in one sample, SB 2 (5'-6'). The source of the compounds is unknown.

The results of soil analysis revealed that individual PCB compounds were not detected above the Method Detection Limit (MDL) in four of the five soil boring locations. PCBs exceeded the Unrestricted Use SCO (0.1 mg/kg) in SB5 (10.5'-11.5') at a concentration of 0.139 mg/kg. Additionally, PCBs were detected in the SB5 (5.5'-6.5') but at a concentration below the Unrestricted Use SCO at a concentration of 0.0382 mg/kg.

The results of analysis revealed eight pesticide compounds were identified of which four pesticides, 4.4-DDD, 4.4'DDE, 4.4'-DDT and Dieldrin, were detected at concentrations exceeding the Unrestricted Use SCOs in samples SB-1 (5'-6.5' and 10.5'-12.5'), SB-2 (5'-6'), SB-3 (5'-6.5'), SB-4 (5'-6.5'), and SB-5 (5.5'-6.5' and 10.5-11.5'). The remaining compounds detected were detected above the MDLs, but below the Unrestricted Use SCO.

Various SVOC compounds were detected in all 10 samples obtained and analyzed. As many as seven (7) SVOC compounds were identified at concentrations above the Unrestricted Use SCOs, Restricted Use Residential SCOs and Restricted Use Commercial SCO. The SVOCs that were commonly detected in all soil samples included benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo (a,h) anthracene, and indeno(1,2,3-cd)pyrene. The following soil samples have SVOCs that exceed the Unrestricted Use SCO, Restricted Use Residential SCOs and Restricted Use Commercial SCOs: SB-1 (5'-6.5' and 10.5'-12.5'), SB-2 (5'-6' and 10.5'-11.5'), SB-3 (5'-6.5'), SB-4 (10.5'-11.5'); and SB-5 (5.5'-6.5' and 10.5-11.5'). Based on the results of analysis remedial action is warranted to address the elevated levels of SVOCs detected in soil.

Seven (7) metals including arsenic, barium, cadmium, copper, lead, zinc, and mercury were detected at elevated concentrations exceeding the Unrestricted Use SCOs in all soil locations. Four of metals, Barium, Cadmium, Lead and Zinc, were also identified as exceeding the Restricted Residential SCOs and Restricted Use Commercial. Based on the results of analysis remedial action is warranted to address the elevated levels of metals detected in soil.

Vapor Intrusion Investigation

Five soil vapor samples were collected in the Summa canisters and analyzed for VOCs using gas chromatography/mass spectrometry (GC/MS), via USEPA Method TO-15. The samples were collected from a depth interval of twelve (12) feet bgs; below the proposed basement level of 11 feet bgs. The New York State Department of Health (NYSDOH) has issued indoor air standards for certain chlorinated volatile organic compounds (CVOCs), including Tetrachloroethylene[1], Trichloroethylene[2], and Methylene Chloride. The

[1] Soil Vapor Intrusions updates were made in September 2013, to the final guidance, *NYSDOH Guidance for Evaluation Soil Vapor Intrusion in New York State, October 2006*, providing a new guideline for tetrachloroethylene, lowering the recommended level in ambient air from 100 µg/m3 to 30 µg/m3.
[2] Soil Vapor Intrusions updates were made in August 2015, to the final guidance, providing a new guideline for trichloroethylene, lowering the recommended level in ambient air from 5 µg/m3 to 2 µg/m3.

laboratory results indicate that none of the CVOCs exceeded the soil vapor standard (see **Table 2** below).

Table 2

Summary of Compounds / Soil Vapor Sample Exceedances Reported

Volatile Organic Compound	Air Guideline Value (µg/m^3)	SV-1	SV-2	SV-3	SV-4	SV-5
Methylene chloride (also referred to as dichloromethane)	60	NE	NE	NE	NE	NE
Tetrachloroethylene (PCE)	30	NE	NE	NE	NE	NE
Trichloroethylene (TCE)	2	NE	NE	NE	NE	NE

ND-None Detected
NE-No Exceedance

In addition, the NYSDOH has issued three matrices (A, B and C) for CVOC decision-making and has assigned a total of eight CVOCs (carbon tetrachloride, 1,1-dichloroethene, cis-1,2-dichloroethene, 1,1,1-trichloroethane, methylene chloride, tetrachloroethylene, trichloroethylene, and vinyl chloride) to these matrices[3]. The analytical results of the collected samples were also compared to the NYSDOH Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006) guidelines and Matrices for recommended action. The results of analysis revealed the CVOCs were not detected, with the exception of carbon tetrachloride, and therefore further assessment of CVOCs is not warranted.

As of February 2024, the NYSDOH has also issued three additional decision matrices for petroleum-based compounds. Matrix D includes Benzene, ethylbenzene, naphthalene, cyclohexane, isooctane (2,2,4-trimethylpentane), 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene. Matrix E includes m-xylene, p-xylene, heptane, hexane and Matrix F includes toluene.

VOCs related to petroleum products were detected were compared to Matrices D, E or F and included: benzene (Matrix E), toluene (Matrix F), ethylbenzene (Matrix D), o-xylene (Matrix E), p-&m-xylenes (Matrix E), 1,2,4 trimethylbenzene (Matrix E) and 1,3,5 trimethylbenzene (Matrix E). All five compounds were detected in all five soil vapor samples. Although there are no established soil vapor guidance values for these compounds individually, the matrices provide risk guidance based on concentration levels as to the appropriate recommended action, i.e., monitor, mitigate or no action. The guidance levels

[3] Soil Vapor Intrusions updates were made in June 2007, to the final guidance, for the addition of three volatile chemicals (vinyl chloride, 1,1-dichloroethene, and cis-1.2-dichloroethene) assigned to the existing soil vapor/indoor air decision matrices.

are based on total VOCs present. Elevated concentrations were detected in the soil vapor; however, the decision matrices are based on comparison of the soil vapor results with the results of indoor air samples. Since the property is currently vacant the potential cannot be discounted that following development indoor air quality may be adversely impacted by the elevated levels of petroleum related compounds in the soil vapor.

Groundwater Investigation

On May 4, 2024, ALC utilized the services of PG Environmental Inc. to install three (3) temporary groundwater monitoring wells, designated as TW-1, TW-2 and TW-3, at three locations to a depth of 25 ft-bgs each which is below the proposed basement depth (11 ft-bgs) within the proposed building footprint. The temporary groundwater monitoring wells were installed to assess the quality of the groundwater and for water level measurements. Although moisture was detected at 15 ft-bgs in each of three temporary monitoring wells, no groundwater was measured in any of the wells following a 48-hour equalization period and representative samples were not obtained.

Conclusion / Recommendations

The results of the analysis suggest that the detections of SVOCs, metals, pesticides and PCBs were identified throughout the soil column. The source of the compounds is unknown; however, the identified soils classification was identified as fill materials from the surface until natural soils were encountered at approximately 15 feet bgs. The elevated concentrations of SVOCs, metals, PCBs and pesticides appear to be the result of the historical fill materials or the result of urbanization. The impacted soils will need to be addressed during development of the Subject Property.

Based on the analytical results of the collected soil samples, any soil excavated during construction should be handled appropriately. Any excavated soil will need to be containerized, characterized and disposed at a permitted off-site facility due to the elevated concentrations of the SVOCs, pesticides, PCBs, and metals.

Based on the results of soil vapor sampling, the potential cannot be discounted that petroleum related compounds in soil vapor will not impact the lower level of the proposed building. Available information indicates the lower level of the building will be utilized for human habitation and or use. Based on these findings, preventative measures should be considered for the proposed structures to mitigate the potential for vapors encroaching into the basement of the proposed structure and should be addressed during the design phase of the building.